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Major humiliated as rebels inflict Maastricht defeat

By Philip Webster
Chief Political Correspondent

CONSERVATIVE MPs dealt John Major a severe blow last night by inflicting on the government its first defeat over the Maastricht treaty.

Amid scenes of uproar in the Commons and calls on the government to resign, a Labour amendment was carried by 314 votes to 292, an unexpectedly wide margin of 22 votes.

Twenty-six Tory MPs voted against the government, including two members of the 1922 committee executive, Sir George Gardiner and Sir Ivan Lawrence. It lost because the Liberal Democrats, who voted with the government in the key paving debate in November, switched sides to support the Labour motion. Eighteen Liberal Democrats voted against the government.

The Tory rebels' decision to side with Labour and the Liberal Democrats was an important psychological blow to the government and will mean a further lengthy delay to the Maastricht timetable.

Ministers swiftly condemned the tactics of the Liberals and Tory MPs. Douglas Hurd, the foreign secretary, said it was odd to see Conservatives voting for a Labour amendment. "It is a delay for delay's sake and a perverse delay at that," he said.

Sir Norman Fowler, the Tory party chairman, accused John Smith and Paddy Ashdown of hypocrisy. "They have forced a report stage on the bill," he said. "In doing so they have exposed the hypocrisy of John Smith and Paddy Ashdown, who have both called in recent months for swift ratification of the treaty."

The rebels spurned an appeal led by Mr Major and his most senior cabinet ministers throughout the weekend to preserve the unity of the party. The government lost despite doing a deal with the seven Scottish and Welsh nationalists. They agreed to back the vote after being promised guaranteed representation on the new committee of the regions.

It was Mr Major's first Commons defeat since he became prime minister in November 1990 and the first



Hand in mouth: Peter Lilley listens to Geoffrey Lofthouse, a deputy Speaker, announcing the result. Right: William Cash, a leading Tory rebel, at Westminster last night

for the government since it lost its bill to reform the shopping laws in 1986. Senior Tory MPs said immediately that it had denied the government's morale and the prime minister's authority.

Jack Cunningham, the shadow foreign secretary, said after the vote: "This is an important victory, not only for Britain, but for the European Community too. Elsewhere in Europe voices from the regions, the *Länder* [states] in Germany for example, will be heard in decision-taking in the EC. Our decision means that likewise, the views of people elected in Scotland, Wales and the regions of England will be heard."

George Robertson, Labour's foreign affairs spokesman, accused the government of being "dazed and confused" over Maastricht. It was, he said, "paralysed by the splits in the Conservative party". Labour's next objective is to win the vote

on the social chapter in a few weeks' time.

The defeat, on the relatively minor issue of a new European Community committee of the regions, means that the government will now have to take the bill through a separate parliamentary procedure, the report stage, which could last up to several weeks.

The result was reached in spite of a series of approaches by the government yesterday to the minority parties in an attempt to secure the votes it would have needed to stave off an embarrassing setback. In scenes that reminded MPs of the minority Labour government of the late 1970s, Terry Dicks, Conservative MP for Hayes & Harlington, was brought into the Commons in a wheelchair in order to vote.

As defeat for the government loomed, Tristram Garner, the foreign office minister, tried to secure a fresh debate on the Labour amend-

ment. He argued that it was being deliberately used to delay ratification of the treaty. He was, however, blocked by Michael Morris, the deputy Speaker, who said a second debate would be out of order.

The Tory rebels also turned

down a last-minute appeal by Michael Heseltine, President of the Board of Trade. He publicly begged the dissenters for a ceasefire, warning that defeat would be "extremely serious" for Britain and deter foreign firms from investing here.

Last night's vote underlined that the government is at the mercy of the Liberal Democrats in any future key vote on the Maastricht bill. The successful amendment proposed that the new committee of the regions should be composed entirely of elected councillors. The Liberal Democrats, in their abortive talks with the government, tried to secure an element of proportional representation in the regional committee.

As the debate got under way yesterday Eurosceptics attacked ministers for criticising their stand. Sir Trevor Skeet, Tory MP for Bedfordshire North, declared: "Many of us



on this side feel very sincerely about the problems of Europe, and we think ministers would do greater credit to their position if they would argue their case in the country and cease to denigrate the people on these back benches who may have their individual views."

The full list of Tory MPs who defied the whips is: John Biffen (Strothshire N), Sir Richard Body (Holland with Boston), Nicholas Budgen (Wolverhampton SW), John Carlisle (Luton N), William Cash (Stafford), James Cran (Beverley), Sir George Gardiner (Reigate), Christopher Gill (Ludlow), Teresa Gorman (Billerica), Warren Hawesley (Halesowen and Stourbridge), Andrew Hunter (Basingstoke), Toby Jessi (Twickenham), Roger Krapman (Stroud), Sir Ivan Lawrence (Burton), Michael Lord (Suffolk Central), Tony Marlow (Northampton N), Richard

Shepherd (Aldridge-Brownhills), Sir Trevor Skeet (Bedfordshire N), Michael Spicer (Worcestershire S), Walter Sweeney (Vale of Glamorgan), Sir Peter Tapsell (Lindsey E), Sir Teddy Taylor (Southend E), Bill Walker (Tayside N), John Wilkinson (Ruislip Northwood), Ann Winterton (Congleton), Nicholas Winterton (Macclesfield).

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Fire risk warnings at Tower 'ignored'

By Nicholas Watt
and Tony Dawe

WARDENS at the Tower of London accused the authorities yesterday of having ignored their appeals for fire escapes and safety improvements at Britain's most popular historic attraction.

They welcomed *The Times* enquiry, which disclosed that the White Tower, the site's most famous building, is a potential fire trap, and said: "We need a metal fire escape from the top floor down to ground level. It would be simple to implement, and the stairs could lead out of windows on each floor."

Yesterday thousands of tourists and school children climbed up the narrow, twisting stairs of the White Tower. Some expressed concern at the lack of obvious alternative fire escapes, but others, especially American tourists, said that fire escapes would spoil the structure.

The tower authorities said that the safety of visitors is of "paramount importance". In a statement replying to *The Times* enquiry, they said: "The major part of our fire safety arrangements is our investment in an adequate number of skilled warding staff who are trained by the fire services and who are each in touch with one another, and with a central control room, via personal radios or intercom."

"In an emergency, be it fire or bomb alert, these staff can and do direct the public to the safest and most direct means of escape from the White Tower in a controlled and orderly way. This, we believe, affords the best means of escape within the constraints of an 11th century building."

"If, in an emergency, the public simply followed signs, they could be moving not to safety but into danger. Evacuations are regularly practised and are always carried out with speed and professionalism."

Safety at Tower, page 3

Tanks join Waco siege

President Clinton has sent tanks to reinforce hundreds of armed federal agents besieging a Texas cult in response to claims by David Koresh, 33, the cult's leader, to be "ready for war".

Shadowy Kenechman, page 14

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UN brings out injured Muslims

FROM ADAM LEBOR AND MARTIN FLETCHER

UNITED Nations officials in Belgrade were preparing to evacuate more than 70 seriously wounded people from the village of Konjevic Polje in eastern Bosnia yesterday after General Philippe Morillon, commander of UN forces in Bosnia, said he had finally reached an agreement with Bosnian Serb commanders.

In Washington the White House rebuffed a suggestion by Boutros Boutros Ghali, the UN secretary-general, that UN troops should forcibly eject Serbs from Bosnian territory if they did not withdraw

voluntarily under a UN-brokered peace plan.

"We haven't had any discussions about that at all," said George Stephanopoulos, President Clinton's spokesman. "We've had no discussions on using US troops in any kind of peacekeeping mission."

General Morillon said a convoy would leave for eastern Bosnia today and a further one would go on Thursday to evacuate the wounded from the Muslim enclave of Srebrenica.

The news of the evacuation came as Sefer Halilovic, the Bosnian Army commander, pulled out of negotiations for a truce and ordered a fresh

offensive in eastern Bosnia. Serb forces confirmed that heavy fighting was taking place around several enclaves.

UN officials in the northern Bosnian town of Tuzla had this weekend accused General Morillon of stalling plans to evacuate thousands of civilians from Srebrenica by agreeing to Bosnian Serb demands that they be allowed to leave Tuzla at the same time. The general had slowed down the plans, Anders Levinson, Tuzla representative of the UN High Commissioner for Refugees said.

But UN relief officials in Belgrade denied that there was any split between

Unprofor, the UN peace keepers in Bosnia, and the UNHCR.

At the end of last year, however, relief officials were becoming frustrated with Unprofor's reluctance to escort convoys into regions where they assessed that the danger was too great. But both Unprofor officers and relief officials believe that once they start to force a passage across frontlines the whole relief operation could collapse. "Once we start shooting our way through the whole thing is over," said one UN relief official in Belgrade.

UN threatens force, page 15

Bishop quits after caution

By Ian Murray

THE Bishop of Gloucester, the Right Rev Peter Ball, 61, resigned yesterday after admitting an act of gross indecency with a novice monk aged 17.

The bishop decided to resign immediately after police formally cautioned him, a legal step that is taken only after a clear admission of guilt.

The Crown Prosecution Service, which conducted a three-month investigation into the case, decided against bringing the matter to court but advised police to issue a caution. The bishop, who has been in hiding on the orders of the Archbishop of Canterbury, Dr George Carey, since the novice laid the complaint against him at Brixton police station on December 16, is receiving medical treatment for physical and psychological exhaustion.

In a statement issued from his retreat he said that his 15 years as a bishop had been marked by "an ever-increasing workload, which has led to greater and greater stress". It was with great sadness that he had resigned, he said. "The last 12 weeks of isolation and anxiety have produced particular strains, causing serious



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Birt: my commitment to BBC is total

Birt says he saved only £810 in tax deal

By Alexandra Frean
Media Correspondent

JOHN Birt, BBC director-general, has written to *The Times* to put an end to the "widespread misunderstanding" about the arrangements that allowed him to avoid tax on much of his salary.

In a detailed explanation of his financial affairs, Mr Birt explains that "the net benefit for the Birt household" of the agreement to pay him on a freelance contract rather than as a full-time employee was £810 for the year ended in

August 1991. After disclosing this month that Mr Birt's estimated salary of £150,000 had been paid direct to his private company, some press reports had speculated that he had saved himself as much as £15,000 in that year.

Mr Birt, who moved quickly to join the staff of the BBC in the wake of the controversy, expresses regret at "the distress I had caused by my contractual arrangements" and ends his letter: "I did not want anyone - least of all those working within the cor-

poration - to think that my commitment and dedication to the BBC were less than total, which they are."

John Watts, Tory chairman of the all-party Treasury select committee, who is pressing for an Inland Revenue enquiry into the issue, dismissed the letter as an "irrelevance".

In a further development yesterday, Labour MPs demanded to know whether the Treasury and the Home Office approved Mr Birt's contractual arrangements.

Letters, page 19

MATTHEW PARRIS

POLITICAL SKETCH

Calculated errors show MacGregor in a new light

I hope, said John MacGregor to Toby Jessel (C, Twickenham) yesterday, "that my hon friend will recognise that there is a need for some night movements." There is little upon which MPs do not feel qualified to offer advice to the nation.

This was not a debate on health or sanitation, but having only at that moment entered the Press Gallery, I was deprived of the context in which MacGregor's advice was offered. Two junior ministers giggled; and Mr Jessel's view — that these night movements should only be permitted in emergencies — only added to the hilarity. Eventually (and to our disappointment) we learnt that aircraft noise from Heathrow was what was in question.

I reminded me of the time I was an MP interested in transport, and approached in a crowded lobby by Mr Norman Fowler (as he then was), transport secretary. "I have interesting news for you," Matthew," he said, "ATMs are to be subject to a careful investigation."

I had not the least idea what ATMs were. "Keep it under your hat for the moment," said Fowler, and, before I could ask, he was off. None of my colleagues knew what ATMs were either. One was conscious of the honour of being thus confided in, but bewildered. Like a messenger with a coded message, I knew something very valuable, but what? Disappointing later, to discover that ATMs were air traffic movements. I had imagined they might be asteroid traffic movements, alien travel missions, or anonymous transient mariners.

The next Chancellor, they say, may well be Norman Fowler or John MacGregor. It is good to know that in the Treasury's mysterious world of acronyms, ATMs and NMs, at least, will hold no mysteries for them.

Mr MacGregor did his

chances of reaching Number 11 Downing Street no good, yesterday afternoon, when he told Robert "Chuff-chuff" Adley (the Tory train-spotter who chairs the transport select committee) that "I'm afraid I haven't got a calculator in my head."

From MacGregor this was disconcerting. We always thought he did. Never the smoothest of tongues or the most impassioned of rabble-rousers, his greatest recommendation has appeared to be his businesslike command of fact. He would have been the kind of boy who always knew the dates of battles in history exams, even if he was not sure what the battle was about or who won. Now he was telling us he couldn't add up. What sort of a Chancellor was this?

He left the dispatch box to William Waldegrave, public service minister and Chancellor of the Duchy of Lancaster. Dame Elaine Keenan-Bowman (C, Lancaster) was bursting to tell us something, and finally got him to listen. "Is my Rt hon friend aware that at a recent gathering of tenants, the Duke turned up for tea?" Waldegrave looked transfixed.

A number of Tory MPs rose to propose new citizen's charters for this or that. Simon Coombs (C, Swindon) wanted town hall league tables, so we could compare local authorities' waiting lists, workloads and success-rates. But one area of public service remains for which no Tory MP has ever proposed the league-table approach. Nobody has suggested comparing MPs' performance. How about looking at their comparative delays and success-rates?

Suddenly, all those left-wing arguments about vulgar comparisons being so misleading without "social context", would burst forth in plummy clothes that they have ever worn before.



Twice shy: Pam Hirst and her daughter Beverly, ten, who was yesterday awarded £15,000 compensation for being scarred in an attack by a pack of dogs last August. Alan Gerrard, right, a farmer who owned the pack, was ordered to pay the compensation and banned from keeping dogs for ten years at Knutsford Crown Court. Beverly was found by her mother submerged beneath a pack of a dozen dogs last August. Mrs Hirst pulled her daughter to safety and drove to hospital, pursued by some of the dogs. If Beverly had not been dragged clear, the court was told, she could have been killed. Yesterday Gerrard, 62, from

Pickmere, Cheshire, pleaded guilty to two specimen charges of keeping a dog that was dangerously out of control. As well as compensation he was ordered to pay costs of £7,583. Judge David said Beverly had sustained the most horrendous facial deformity and "may have other long-term consequences of this absolutely terrifying incident". The compensation was, he said, the very least she could get in civil damages and his award did not preclude any civil claim. A civil action was being prepared. Judge David said the dog ban was "to protect the public and, in a sense, to protect you too".

David Hale, for the prosecution, said Beverly, who was 11 last week, was riding her bicycle with her sister Rachel, 12, past Gerrard's farm when the attack took place. She got off her bike to stroke one of the dogs which was in the road. The dog jumped up with its paws on her chest, and other dogs came up. She was encircled by barking dogs. Police took four hours to round up 32 of the 38 dogs and one police officer was bitten during the operation. Thirty-three of the dogs have been destroyed.

Yesterday Beverly said: "I've forgotten it all. I would like a dog when I am older — a small one with nice fur on it."

Bottomley enlists doctors' help over budget disputes

By NICHOLAS WOOD, POLITICAL CORRESPONDENT

VIRGINIA Bottomley is planning to hit back strongly this week in the long-running dispute over hospital bed closures.

The health secretary will try to deflect criticism of the government's responsibility for cancelled operations and admissions by seeking to draw doctors more deeply into the budget-setting process.

In a speech to the British Medical Association on Thursday, Mrs Bottomley will emphasise how the internal

market opens the door to doctors and nurses playing a dominant role in determining the priorities of the NHS.

The health secretary's hope is that by locking the medical professions more securely into financial decisions she can defuse some of the controversy surrounding the perennial end-of-year ward closures as hospitals run out of cash.

Mrs Bottomley has been particularly impressed by the way GP fundholders have managed their budgets over

the past year, with several of them keeping well within their cash limits. For the past few weeks, she has been looking at ways of harnessing this "business acumen" on to health authorities and hospitals, who invariably overspend their annual allocation.

She believes that if doctors and nurses are intimately bound up in allocating budgets it will be much harder for the BMA and the Royal College of Nursing to join forces with opposition parties and pressure groups to accuse the government of responsibility for hospital shutdowns.

She wants clinicians to pay closer attention to research data on the results of competing forms of treatment, value for money and patients' preferences. Priorities could be set locally in tune with the government's strategic objectives such as out in the *Health of the Nation* white paper.

Mrs Bottomley will deny

that she is in the business of overtly endorsing the rationing of NHS care. She is also likely to restate the government's commitment to increased funding in real terms year on year to the NHS. She will insist that arguments over priorities are separate from those over the level of funding.

However, her remarks will amount to a tacit acceptance that the NHS cannot respond to every demand and to a call for clinicians to take the lead in determining priorities.

She will argue that the split between purchasers and providers at the heart of the internal market offers doctors and nurses an unprecedented opportunity to influence decisions traditionally dominated by health service managers.

Mrs Bottomley will also urge decision-makers to pay attention to patient preferences, not least an aversion to intensive and invasive surgery and lengthy stays in hospital.

Lib Dems let Tories fend for themselves

By SHEILA GUNN, POLITICAL CORRESPONDENT

AMID the wheeling and dealing over the Maastricht bill last week, Paddy Ashdown decided that the Liberal Democrats should not be responsible for bailing out the government last night.

At a private meeting with his closest aides shortly before yesterday's Commons debate, his strategy was sanctioned for a variety of reasons.

Only Sir Russell Johnston, the party's chief foreign affairs spokesman, is understood to have had some reservations about voting for an amendment which could delay the ratification process. But he appears to have been outnumbered by those who argued that the government had been responsible for delaying the bill before Christmas, contrary to its advice.

MPs in the minority parties have rarely been wooed so assiduously by the government's MPs as over the Maastricht Bill's amendment 28. Liberal Democrats, Scottish and Welsh nationalists have been receiving telephone calls from ministers and whips with

invitations for a cosy chat. Their views on the composition of the treaty's European committee of the regions have become of intense interest.

When the debate opened yesterday, George Robertson, Labour's European spokesman, sat near the Liberal Democrats bench as Sir Russell whispered to him the party's voting intentions.

The Liberal Democrats have suffered a lot of stick for saving the government in the Maastricht paving vote. Its 20 MPs could happily vote against the government on amendment 28 without spoiling their Euro-credentials and endangering the treaty.

Dennis Skinner, the Labour MP who has been making their lives a misery for keeping the government in office, warned the Liberal Democrats that they would not stand a "cat in hell's chance" of winning Newbury if they voted with the government again. Crudely put, but his message reached home.

Major humiliated, page 1

Vulcan fights to beat the scrap men

By MICHAEL EVANS
DEFENCE CORRESPONDENT

SCRAP metal men, aircraft enthusiasts and a group acting "on behalf of the nation" will put in bids today for the last flying Vulcan, the delta-winged strategic bomber that went on red alert during the Cuban missile crisis in 1962.

The fate of the last worthy Vulcan has been in the balance since the RAF stopped flying the aircraft at air shows last year. The defence ministry has been under pressure to keep the Vulcan flying after a nationwide campaign to save it

tender was being prepared by a representative of the Save the Vulcan Campaign in the hope of outbidding the scrap men. The defence ministry will examine the sealed bids and is expected to make a decision in the next few weeks.

Harry Bromley, a former RAF Canberra bomber pilot who is to put in the private bid, said yesterday that discussions were under way to keep the Vulcan at one of two airfields, Cranfield, Bedfordshire, or Wroughton, Wiltshire.

The proposal, he said, was to make the Vulcan available to the public, who would see the aircraft taxiing. Provided the Civil

flights over the airfield, the Vulcan could also be flown on special occasions.

Mr Bromley said: "The Vulcan is a magnificent plane that is a symbol of the Cold War and should be maintained."

For the ministry to keep the Vulcan in the RAF would entail a £2.5 million overhaul and running costs of £300,000 a year. The fighting spirit and enterprise of the Save the Vulcan Campaign has kept alive hopes that the plane can continue to be flown at air shows. However, so far, even attempts to include the Vulcan in the planned royal flypast next month to mark the 75th anniversary of the

MP moves to stem bail abuse

By GILLIAN BOWDITCH
SCOTLAND CORRESPONDENT

CONCERN that the Bail Act is being abused has led John McFall, Labour's Scottish home affairs spokesman, to write to every chief constable in Scotland asking for figures on the offences committed by individuals on bail.

The MP for Dumbarton is concerned that a steep increase in bail offences during the past two years in the Central region of Scotland may be mirrored nationwide. Last year, 918 offences were committed by people on bail, more than double the number of similar offences in 1990.

Mr McFall argues that hardened criminals often plead not guilty because they know they will be granted bail rather than remanded in custody, and not because they believe they might win their case.

"We are not talking about minor offences here," Mr McFall said. "Many of the offences committed on bail are of the most serious nature, often involving violence and even murder."

Mr McFall said that in Central region last year a man who was arrested for assault on an elderly man who subsequently died was granted bail. Seven days later, he broke into a house and raped two women, one of whom died as a result.

Mr McFall will present his findings to the government.

Defences reviewed as IRA hits army base

A multi-million pound programme to improve the defences of Northern Ireland security posts against mortar attacks is being considered, security sources say. The disclosure follows the death yesterday of a workman in an attack on the police and army barracks at Keady, Armagh, in which the IRA is thought to have again used its so-called barracks buster mortar. The weapon, used against a police station at nearby Bessbrook last week and at Crossmaglen, can hurl bombs over the blast walls that surround stations, concentrating the explosion in the compound.

In yesterday's attack, the IRA fired three shells from a lorry parked 50 yards from the station. Police said that all three landed in the compound, doing serious damage to it and surrounding houses. The blasts killed Nigel McCallum, 25, of Cookstown, co-Tyrone, who was doing building work at the base. Three colleagues were seriously injured.

Tunnel fine exemption

The Channel tunnel is to be exempted from laws designed to curb illegal immigration into Britain and under which airlines and ferry companies can already be fined heavily. Ministers have decided that it would be "unrealistic" to impose the same £2,000 fine now levied on airlines and ferry companies on the tunnel operators when they begin train services under the channel at the end of this year. Their decision, which will be announced formally next month, has infuriated ferry companies and airlines who have had to pay out millions of pounds in fines whether they were at fault or not. An estimated 15,000 illegal immigrants have been detected since the Act came into force three years ago.

CBI education plan

Ministers should establish a new type of education authority to oversee local education services, Howard Davies, the director-general of the CBI, said yesterday. Mr Davies, who was launching a new book on inner-city schooling in Britain and the United States, said the original concept of the local education authority was doomed because it had proved too remote from the concerns of parents. But some framework would be needed to link different parts of the system.

Marathon to go ahead

The Nutrasweet London Marathon seems certain to go ahead as planned on April 18, with the organisers and the government yesterday moving towards a compromise to allow more than 20,000 runners to pass through the royal parks. The scheduled meeting tomorrow between Chris Brasher, the founder of the race, and Robert Key, the sports minister, has been cancelled as agreement is so close. The government had asked for a fee of £15,000 for allowing the marathon to use Greenwich Park and St James's Park.

Clarke plan attacked

Kenneth Clarke's plan to create a network of detention centres for juvenile offenders was strongly criticised by the chief inspector of prisons last night. Judge Stephen Tugend warned the home secretary in a lecture to the British Institute of Human Rights in London that his proposals were likely to lead to an increase in crime.

Badger woman beaten

A woman of 22 who was investigating badger-baiting near Liskeard, Cornwall, was brutally attacked by three men, police said. Nicky Abrahams, a member of the badger conservation group Brock, was taking details of a Land Rover when the men waved a shotgun in the air, knocked her to the ground and repeatedly kicked her.

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Despite two devastating blazes, royal buildings still do not have adequate safety precautions

Fire expert uncovers catalogue of danger at Hampton Court

By JACK CROSSLEY AND TONY DAWE

SEVEN years after a £5.3 million fire ravaged Hampton Court, leaving one person dead, the palace still does not have a fire safety certificate. Other royal buildings, including Buckingham Palace and Windsor Castle, which suffered a £40 million fire last November, also lack certificates. Taxpayers face the burden of paying for the fires, but nothing can be done to force the royal staff to obtain them because they are immune from the law.

Alan Williams, a Labour member of the Commons select committee which on Wednesday will consider a National Audit Office report on fire prevention, said: "To find that seven years after the fire at Hampton Court it still has no fire certificate is beyond all credibility, especially after what has happened at Windsor."

A fire safety expert who visited Hampton Court on behalf of *The Times* was disturbed by:

- Insufficient and inefficient fire doors and compartmentation of the building;
- Lack of instructions to visitors on what to do in case of fire;
- No evidence of "In Case of

Fire Break Glass" alarms;

- Insufficient emergency lighting;
- Many rooms, particularly those with highly-decorated ceilings, without smoke detectors.

Kevin Towler, of International Fire Consultants, reported that two fire doors had been wrongly fitted and were incapable of containing a fire. He said the absence of a sprinkler system would have concerned him less if the palace was broken up into smaller compartments able to contain fire.

Dr Towler said: "The palace authorities appear to be relying heavily on attendants to guide people out in case of fire and they seem to be well drilled. But the speed at which fires can spread is frightening and panic can never be ruled out."

"The lack of fire exit signs is disturbing. On more than one occasion, I realised that in the event of an emergency I would not know which way to go."

Last night, the Historic Royal Palaces Agency said it treated with utmost importance its safety responsibilities. The particular demands of historic buildings required

a sophisticated balancing of safety requirements with conservation of the buildings.

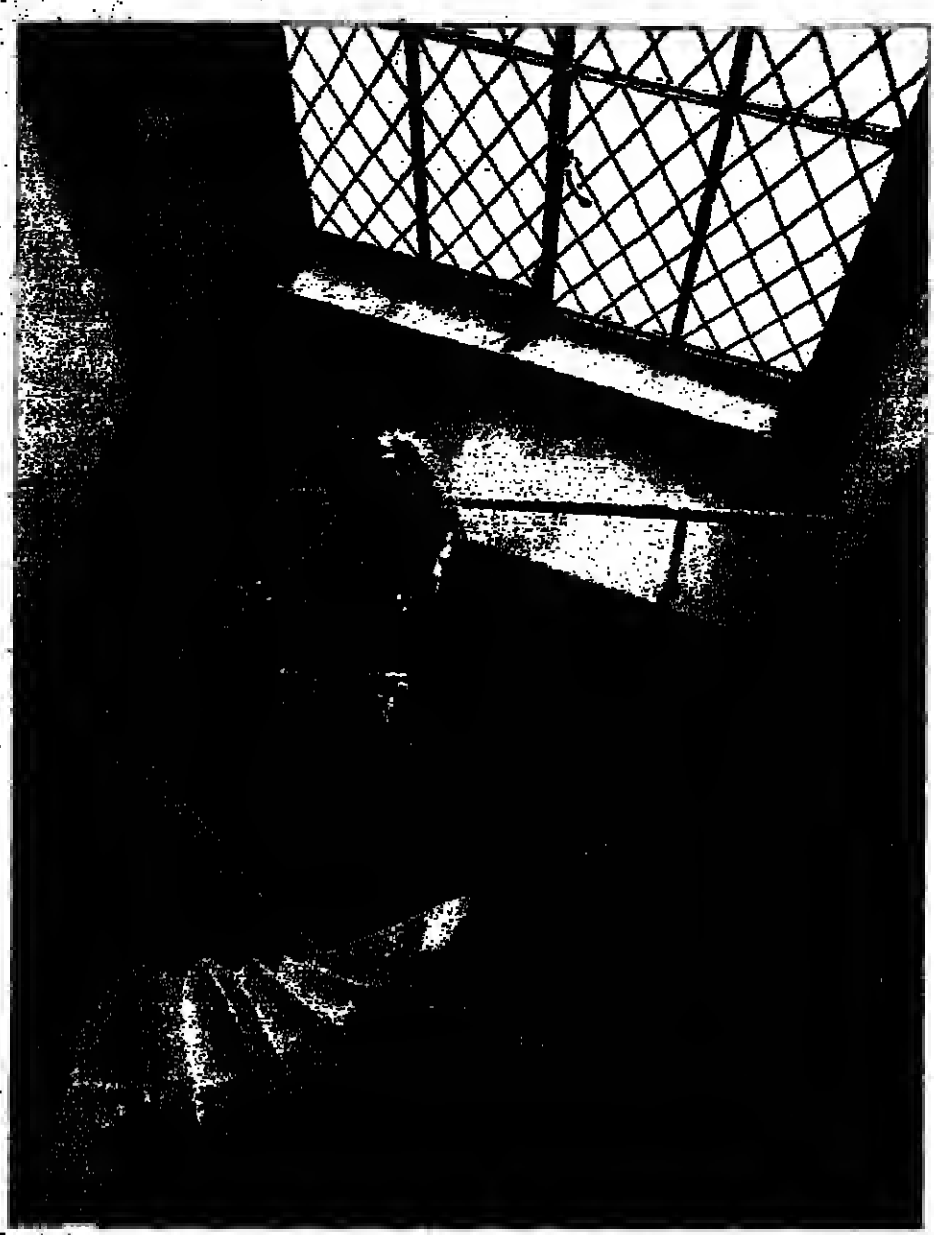
Stephen Bond, Surveyor of the Fabric of Historic Royal Palaces, said: "An application for a certificate for Hampton Court was made to the Home Office fire safety inspectorate in 1987. The inspectors required a fairly considerable list of physical modifications. Those works were carried out, but a certificate has not yet been issued."

Buckingham Palace is vulnerable because of its layout and the absence of sprinklers. Its decorative features, including wood panelling, tapestries, furnishings and paintings add to the fire risk.

Safety experts, who have visited the palace said that fire could spread as rapidly as it did at Windsor Castle because of hidden voids behind paneling and in roof spaces.

The London Fire Brigade has no powers to enforce fire precautions at Buckingham Palace, but it is invited to carry out regular exercises.

"The visits provide an adequate preparation for fighting a fire, but they are not as constructive as we would like," a senior fire officer said.



Safety quest: The Times's Nicholas Watt negotiates the White Tower stairs

Tourists in Tower step up to danger

By NICHOLAS WATT

TO see the Tower of London, visitors have to negotiate narrow spiral staircases which experts have condemned as fire hazards. Stone stairs in the White Tower are slippery and so narrow that tourists have to walk up in single file.

One visitor said yesterday that climbing the stairs was such hard work she predicted a stampede in a fire.

This reporter climbed from the first floor of the White Tower to the Norman Chapel of St John on the second floor. The stairway becomes darker above the window and the only exit signposted on the second floor is up to the top floor.

Authorities say people can retrace their steps down the stairs in a fire. But Ian Jerome, a fire safety expert, said it was not suitable as a fire escape. A gate leading to the stairs from the adjoining Renaissance Armoury is locked.

Yesterday, hundreds of tourists and school children climbed up the narrow, twisting stairs of the White Tower.

Barbara Corbett, from Workson, Nottinghamshire, said: "It's had enough getting up the narrow stairs on an ordinary day. In a fire there would be a massive stampede. I don't remember seeing many fire signs on my way round the tower. I think

it's time they were subjected to the same rules as everyone else."

Joan Plant, from Twickenham, southwest London, said she thought "the wood would go up like tinder" in a fire but added that the authorities had taken good precautions with plenty of wardens on duty.

Bill Sharpe, from the United States, said the authorities could reduce the risk of fire by limiting the number of visitors. "It would spoil the structure of the building to put in fire escapes," he said. "But I do think the tower should be subjected to the same laws as everyone else because it is open to the public."

Don Graham, from Missouri, said: "I would hate to see the tower tampered with. It is such a beautiful and historic building and there should be no more fire exits."

David Harris, secretary of the Royal Armouries responsible for the White Tower, said yesterday: "Crown immunity has never been used as an excuse by this organisation. The provision of fire escapes and other measures is determined by the display and presentation of an 11th century building."

The tower authorities have called in consultants to advise on fire precautions and on whether to apply for a fire certificate.

Judge in plea to runaway

By PAUL WILKINSON

A CROWN court judge was yesterday forced to ask a 14-year-old with 43 previous convictions for his promise not to run away before he returns to court for sentencing on Friday, because there are no powers to detain him in a secure unit.

The boy has convictions for offences that include assault, burglary and theft. He absconded from local authority care twice last week after appearing in court to admit a sexual assault on a young girl. He cannot be named because of his age.

After his first disappearance the boy allegedly mugged a pensioner, took a car and damaged four police vehicles in a car chase. When arrested he was returned to care but last Friday, when he was due to appear before Mr Justice Holland at Durham Crown Court, he failed to appear. He was arrested at his home in Newcastle upon Tyne that night and spent the weekend in police cells.

Yesterday the boy's counsel admitted he "was almost beyond the control of the law", and the judge delivered a stiff lecture about the direction his life might take if his wayward behaviour continued. "The last time I spoke to you I read you a lecture and you didn't take the slightest notice of me," Mr Justice Holland said. "I am beginning to get very serious. I have never had anybody as young as you before me and I never want to see it again. If things go on like this, you will find yourself in prison."

The boy was put in the care of Newcastle social services with a condition that he remain inside their home at Clavering House between 7pm and 7am.

Bishop in hiding after resignation

Continued from page 1

damage to my health. I regret with great penitence and sorrow the circumstances that have led to this police action."

He said that for the future "I am sure there will be a way in which I can serve God, and I would be grateful for your continued prayers."

Bishop Ball's twin brother Michael, who is Bishop of Huron, said: "I share my brother's belief that this matter is now legally concluded. He is more grateful than he can say for the support that his diocese has shown him over the last three months."

Canon Andy Radford, the diocesan press spokesman, said: "He decided, having admitted guilt, that it would be inappropriate both for the church in Gloucester and for the wider church if he were to continue. The fact that he admitted guilt has been a severe shock to the diocese and people are taking it hard. But we must keep this in proportion. This is one incident and should not be enough to negate 30 or 40 years of devoted pastoral work."

Canon Radford said that at the time of the admitted offence, the bishop was exhausted after working extremely hard to get to know

the diocese during the year since he had been moved to Gloucester from Lewes. "His health is now real cause for concern," he said.

Dr Carey said: "Bishop Peter is a highly gifted and original man who has inspired many people to deepen their faith in Jesus Christ. He has been much loved, both in his diocese and in the wider church, including the House of Bishops. His resignation is therefore a cause of great sorrow."

The Bishop of Tewkesbury, the Right Rev Jeremy Walsh, who has been standing in at Gloucester since the police enquiry began, said that procedures to appoint a replacement would begin soon but it might be several months before they were complete. Although he has resigned from Gloucester, the bishop will continue to hold the title of bishop.

Thirty years ago the identical twin brothers founded the Anglican Monastic Community of the Glorious Ascension, based on celibacy, poverty and obedience. In 1977 Peter left to become suffragan bishop of Lewes, where he became a close friend of Ian Gow, the Conservative MP murdered by the IRA. He later became a founder of the Thatcher Foundation.

As an Anglo-Catholic monk, the bishop wears his habit rather than formal robes and he maintains an austere life style, getting up at 3.30am except on Sundays, when he lies in until 5.30.

When he was appointed to Gloucester he moved into the bishop's palace with a new Labrador puppy and said it would be the first time in years that he had slept in a bed. "I have preferred a mattress on the floor, but with a young puppy around it is not a good idea," he said.



Bishop Ball: his health giving cause for concern

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Girls who butchered woman are 'evil products of today'

By A STAFF REPORTER

TWO teenage girls who were high on drink and drugs when they brutally murdered an elderly spinster were described as "evil products of the modern age" by a judge who handed them indefinite sentences yesterday.

Maria Rossi and Christina Molloy, both now 18, will be detained at Her Majesty's pleasure after admitting murder at Cardiff Crown Court.

The pair inflicted appalling injuries on partially sighted Edna Phillips, 70, and then smashed eggs over her body as they ransacked the house where she lived alone and escaped with her pension, a vacuum cleaner and a radio.

Mr Justice Scott said that they had shown no mercy to an old woman, whose appalling injuries "would revolt every decent person".

The judge told Rossi and Molloy: "You two young

women are evil products of the modern age. Your lives seem to be a story of putting your own immediate desires above all else, regardless of the consequences to others. If, as youngsters, some discipline had been imposed upon you, at home, at school or through the courts, you might not now be standing in the dock for this dreadful offence."

Rossi, the victim's next-door neighbour, was said to have sung "We have killed Edna" to the tune of the Wizard of Oz song after the killing.

Miss Phillips had long been subjected to "a life of hell" by the Rossi family, who threw eggs and stones at her house, the court was told.

John Charles Rees QC, for the prosecution, said that 5ft-tall Miss Phillips was "literally butchered in a brutal and vicious attack".

The girls used a dog chain, pulling on both ends to strangle Miss Phillips after break-

ing in to her house on the Penywaun council estate, near Aberdare, Mid-Glamorgan. They used a craft knife to slash her face in a criss-cross pattern, stabbed her repeatedly in the chest with scissors and also stabbed her with a glass panel ripped from a boiler.

Rossi and Molloy, who had broken into Miss Phillips's home on a previous occasion, had drunk strong cider and taken drugs on the night of the killing, last July.

Among Miss Phillips's injuries were at least 35 slash wounds to her face, 30 stab wounds to her chest, and five broken ribs. One "sinister" wound, stretching from her ear across her temple, was "akin to scalping".

Christopher Pitchford QC, for Rossi, who has four convictions for theft and having drugs, said that her mother had had no control over her since the break-up of her marriage when Rossi was ten.

Trail-blazer of radical schools returns to traditional teaching

BY BEN PRESTON
EDUCATION REPORTER

HOLLAND Park School, the London showcase of 1960s radical comprehensive education policy, is to scrap many mixed ability classes and reintroduce Latin.

The school, once described as the Eton of the comprehensives and which educated children of the Labour politicians Tony Benn and Roy Jenkins, is trying to adapt to the new world of school examination league tables.

The 1,506-pupil school in west London is the most high-profile convert yet in a gradual return to more traditional teaching methods after a concerted "back to basics" campaign by ministers.

Governors decided older pupils preparing for GCSE examinations should be divided into groups according to their ability in particular subjects such as mathematics, science and languages. This

League tables are forcing even the pioneers of so-called progressive education to return to more selective methods

policy of "setting" marks a radical departure from mixed ability teaching, which has been a cornerstone of comprehensive education for at least two decades. Supporters long rejected any attempt to select pupils according to ability because they believed it would create ghettos of low-achievement.

The planned changes at Holland Park follow two years of severe pressure from Kensington and Chelsea education authority after its inspectors criticised standards and teachers' low expectations of pupils. The school, which has pupils who speak 65 languages, dropped up last year's examination league table in the borough with 21 per cent of pupils achieving five or more GCSEs at grades A to C.

Michael Stoten, the borough's executive education director, said: "The school has had to look hard at what it has done and make changes to bring it into the 1990s." He said that in much of the curriculum, mixed ability teaching at the school had not allowed teachers to give lower-ability pupils sufficient attention while making it difficult to stretch the best. "The

classes and Latin, in particular, are important disciplines in themselves. Latin is a fundamental basis throughout the curriculum and is a good discipline for pupils."

Maggie Fringle, the head teacher, said the changes represented a fine-tuning and not an abandonment of the comprehensive ideal. "Holland Park is a unique school full of difficulties and challenges. We all want it to be the finest comprehensive in the country, but genuinely comprehensive, giving children a sense of equal worth," she said, adding that in an ideal world, mixed ability teaching remained the best method.

Ms Fringle said that setting would be applied carefully and flexibly to ensure the school did not fall into traps of rigid streaming that let lower-ability groups become demotivated and higher-ability pupils grow complacent.

State schools have increased their share of places at the University of Oxford for the second successive year, by almost 1 per cent to 43.7 per cent. Pupils from independent schools gained 46.6 per cent of places, a decline of 2 per cent.

Head tells pupils of suicide

THE headmaster of a West Midlands school told pupils yesterday that they should not blame themselves for the suicide of a classmate.

Stephen Woodhall, 12, was found hanging from the bannister in his home by his seven-year-old sister Emma on Friday. He had used his brother's school tie.

Ken Woodhall, 42, an unemployed machine tool operator of Smethwick, Birmingham, blamed young bullies for putting his son through "silent hell".

Staff at Shireland high school in Smethwick, which has expelled several pupils in recent months for bullying and which had received complaints from Mr Woodhall, have launched an enquiry into the bullying allegations.

Brian Worrall, the head teacher, held a series of special assemblies yesterday to tell students the news and reassure them that they were not to blame for Stephen's death.

He said: "We wanted to help them understand, especially the younger ones and those in Stephen's class, that it is not their fault."

Mr Worrall said a number of children had been expelled in the past because of bullying. "There is a record of incidents. All I can say is when Mr Woodhall saw us before Christmas we believed we had dealt with them to his satisfaction."

He said a disciplinary code had been drawn up with the students' council. "We thought we had a very clear policy about bullying, that we could encourage children to come to us. But clearly that may not have been enough."



Stephen: found hanging at home

Mackay to monitor judges' workload

BY FRANCES GIBB, LEGAL CORRESPONDENT

HIGH Court judges in England and Wales are to have their working patterns and workload monitored in a reform that will bring the senior judiciary into line with modern commercial management systems.

Lord Mackay of Clashfern, the Lord Chancellor, announced yesterday that he wants to introduce a "management information system" to monitor the number and deployment of High Court judges.

Such a system will keep under scrutiny the steps needed to ensure the High Court is used in the most efficient way. However, it will not monitor the performance of individual judges, nor note decisions or how often these are overturned by the Court of Appeal.

The measure comes in the wake of a review on the working patterns of High Court judges which led last week to Lord Mackay announcing that ten extra High Court judges would be

appointed at a cost of £1.58 million.

Lord Mackay said yesterday that he wanted freedom to appoint a further three judges if there was demand for them; he said he wished to lift the statutory ceiling on the number of High Court judges from 35 to 38.

But he added: "I think it important to be able to respond properly to changes in the pressures on the High Court. I will therefore give a high priority to the introduction of a management system, so that decisions about the number and deployment of High Court judges can be based on fuller information about working patterns."

One area that might be looked at is judges' holidays: at present, judges sit on 189 days a year, which gives them 14 weeks off, although they do work during that time. The review made clear that the judiciary would not favour an extension of their sitting days.

Blandford wife has brain clot removed

BY ALAN HAMILTON

THE Marchioness of Blandford remained seriously ill in the Radcliffe Infirmary, Oxford, yesterday after emergency brain surgery for head injuries from a riding accident.

Doctors attending Becky Blandford, 30, in the hospital's intensive care unit said that they had removed a blood clot from her brain. The marchioness was in a coma and on a life-support machine.

Lady Blandford, the former Becky Few Brown, is the estranged wife of the Marquess of Blandford, heir to the dukedom of Marlborough, Blenheim Palace, its 11,500 acres and a reported £100 million fortune. Her riding accident is the latest misfortune for the Blandford family. Her husband, a former drug addict, has been in jail for possessing cocaine and for driving while disqualified.

Riding with the Heythrop Hunt in Oxfordshire at the weekend, Lady Blandford fell from her horse when it apparently slipped on a concrete track in dry and fine conditions. A hunt follower raised the alarm using a mobile telephone and Lady Blandford was taken to the specialist head injuries unit at the Radcliffe.

Her mother, Linda Warrington-Ingram, has been at her bedside. The marchioness issued a statement that said she was "anxious and worried" for her wife Becky. Richard Summer, joint master of the hunt, said yesterday: "This has come as a terrible shock to us. Her horse stumbled and fell. This was just a freak accident."

Lady Blandford's association with one of England's premier dukedoms has been an unhappy one. The daughter of a land agent, she separated from the marchioness in 1992, two years after her marriage and after the birth of seven months old George, Earl of Sunderland. She reportedly sold her story to the *Daily Mail* for £40,000, claiming that a year after their wedding the marchioness had rekindled an affair with a former girl friend.

It was reported at the time that the Duke of Marlborough, 66, had demanded a blood test on the couple's son to ensure he was the rightful heir to Sir Winston Churchill's ancestral home. It was also alleged that he wanted the succession to pass to the marchioness's younger brother Edward.

Charles James Spencer-Churchill, 37, the present marchioness, has rarely been out of the news since his time at



The Marchioness of Blandford, who is a member of the Heythrop Hunt

Harrow. A self-confessed former cocaine and heroin addict, Jamie Blandford served a three-month prison sentence in 1986 for drug offences. Two years ago he was sentenced to three months in jail for driving while disqualified. He has also been fined for careless driving and for assaulting a policeman.

Since their separation, the couple have been feuding over custody of their son, who lives with Lady Blandford's parents in Oxfordshire. The marchioness is the subject of a court order restraining him from visiting his wife or son.

He recently claimed to have kicked his drug habit, but last week was subjected to a frightening ordeal while visiting an estate in Kilburn,

north London, known to its inhabitants as Crack City from the prevalence of drug dealing there. A man with a knife brandished the marchioness into a car and forced her to go to a bank cash machine to withdraw £500. The machine swallowed the marchioness's card and failed to deliver.

The Marlborough family motto "Faithful, but unfortunate" appears to apply only in part to the present marchioness.



Lord Blandford in London yesterday

Peer's heir jailed for three years

The son and heir of Lord Feversham, the author and journalist, was jailed for three years at the Old Bailey yesterday for attempting to rob a shop that sells bugging equipment.

Jasper Duncombe, 24, wanted night-sights and bugging devices to help him to discover the identity of his drugs dealer, said Nicholas Price QC, for the defence.

Duncombe, of South Kensington, west London, whose family home is Duncombe Park, Helmsley, North Yorkshire, admitted attempted robbery at the Corner Spy Shop in Queensway, west London, last August, possessing an imitation firearm, using it to resist arrest and assaulting the shop owner, Mohammed Kordi.

The judge also ordered Duncombe to forfeit the weapons and cancelled two gun licences.

Bill for baby

A baby who was born four months premature weighing 1lb 9oz while her parents were on a belated honeymoon in Florida flew home to Southport, Merseyside, after running up a hospital bill of more than £800,000 since last November.

Kidnap foiled

Police are hunting a would-be child abductor who was foiled when a 10-year-old girl hit him with her bag and kicked his shins. The man, wearing ski-mask and gloves, grabbed the girl in Droitwich, Hereford and Worcester.

Hippie eviction

The composer Sir Andrew Lloyd Webber has been granted a court order by Reading County Court, Berkshire, to evict a group of New Age Travellers from the grounds of his home at Sydmonston Court, Hampshire.

Cocaine charge

Two seamen have been charged with smuggling more than £1 million of cocaine on a ship docked on the Tees. They have been remanded in custody for seven days by Teesside magistrates.

Denning ill

Lord Denning, the former Master of the Rolls, is being treated in hospital for a back injury. The condition of the 94-year-old life peer from Whitechapel, Hampshire, is said to be stable.

Ship mystery

The Russian government has failed to find any record of the Hull trawler *Gaul*, which disappeared 19 years ago with the loss of all hands. Many relatives believe the *Gaul* was held as a spy ship.

Data watchdog considers action on Rimington story

BY MICHAEL DYNES, WHITEHALL CORRESPONDENT

DATA protection officials meet today to decide whether a Sunday newspaper investigation into the private affairs of Stella Rimington, the director general of MI5, violated her right to privacy.

Eric Howe, the data protection registrar, and Francis Aldhouse, his deputy, are seeking legal advice on whether they have the authority to approach Mrs Rimington to see if she wants to register a complaint.

The unprecedented move follows an article in the *Sunday Times* which claimed that Mrs Rimington was an easy target for terrorists, after the paper hired a commercial enquiry agent to obtain details about her private life, including her bank and credit card transactions.

Home Office officials, who declined to discuss Mrs Rimington's security arrangements, said that the article appeared to involve a number of "alarming" breaches of the rules regulating access to and the disclosure of personal information.

"We normally act in response to complaints from individuals," Mr Aldhouse said. "But we are considering whether it is appropriate to approach Mrs Rimington, given her position. As far as we are concerned, she is entitled to the same kind of protection accorded to anyone else."

Under the provisions of the 1984 Data Protection Act,

organisations holding information about people on computers are required to adhere to the so-called data protection principles, which include the protection of confidential information. The *Sunday Times* article showed, however, that the system was not working as intended.

The registrar, who receives an average of 20 complaints a week, is examining the ability of private investigators to obtain access to confidential information, following complaints last year from ministers over possible breaches of the data protection rules. The registrar has also been authorised by the Chancellor to investigate leaks of his credit card details.

On weight mostly around the waist.

Ms Cursiter advises women to take up exercise before giving up smoking and not to diet at least until the worst of withdrawal is over. The women who gave up for more than one month but less than six tended to relapse after three or four months. Those who stopped for six months did not start again.

A Glasgow company has paid £4,500 to employees who managed to give up cigarettes as the result of its campaign to reduce smoking in the workplace. Morris Furniture paid cash bonuses to 45 employees who have given up completely.

Another 33 have cut down dramatically and the number of smokers in the company is down to 14 per cent.

smoking for at least a month. The women, who were not told the study was aimed at monitoring weight, gained an average 4.5lb during the month but one third gained little or no weight. Those who watched their weight tended to gain more than those who did not.

The study by Mary Cursiter, a research fellow at the college, showed that the weight gain was a result of eating more and not because of changes in metabolic rate. "The women suffered a big increase in appetite, they ate more and they tended to eat

sweet things when giving up smoking," Ms Cursiter said. She said thin and fat women put on weight at equal rates when giving up smoking. The 15 who gave up for at least six months did find a slowing of their metabolic rate at the end of that period.

She believes the key to giving up smoking without weight gain is exercise rather than cutting down on food. Exercise also cut the stress associated with giving up. Active women who gained weight when giving up smoking tended to put on weight evenly. Sedentary women put

BBC farms turn in £2.5m loss

BY ALEXANDRA FREAN
MEDIA CORRESPONDENT

THE BBC confirmed yesterday that its pension fund owns three farms in Cambridgeshire which have lost millions of pounds in the past eight years.

The 3,700 acres of farmland, which were bought to benefit the BBC's 40,000 pensioners, have turned in a total deficit of £2.5 million since their purchase between 1984 and 1986, despite investments in farm machinery and new buildings of nearly £250,000.

The farms are run by a workforce of 14 who are listed in the accounts as "employees of the BBC". Their shareholders have included two former directors of the corporation, Sir Michael Checkland and Alasdair Milne.

The latest accounts now list the BBC Pension Trust Ltd as holding 99 per cent of the shares.

A spokesman for the BBC said that despite the losses, the properties, which represent 0.3 per cent of the pension fund's £2.9 billion assets, generated a regular income in the form of repayments and interest on a £5 million loan made from the pension fund to Ardal Farms Ltd, the company set up to manage the land.

"The loan repayments account for most of the farms' losses, and that money goes direct to the pension fund," he said. "Everybody knows that there can hardly be a farm in the country which is making a profit these days."

The farms produce mainly arable crops, including sugar beet, soft fruit and vegetables. There are no plans to sell the land as it is believed to be worth less now than when it was bought.

Smoking excuse carries no weight

BY GILLIAN BOWDITCH
SCOTLAND CORRESPONDENT

WOMEN under the age of 30 and those who smoke fewer than 20 cigarettes a day are unlikely to put on weight when they give up, a study has shown.

The fear of weight gain is one of the main disincentives to young women giving up smoking, and some smoke in the belief that they will aid slimming.

Women over 30 and those who smoke more than 20 a day are likely to gain weight if they give up, according to the survey carried out by the department of dietetics and nutrition at Queen Margaret College in Edinburgh.

The study looked at 79 women smokers aged 18 to 45, of whom 37 gave up

A Scottish study has good and not-so-good news for smokers who dread giving up tomorrow for national no-smoking day

smoking for at least a month. The women, who were not told the study was aimed at monitoring weight, gained an average 4.5lb during the month but one third gained little or no weight. Those who watched their weight tended to gain more than those who did not.

The study by Mary Cursiter, a research fellow at the college, showed that the weight gain was a result of eating more and not because of changes in metabolic rate. "The women suffered a big increase in appetite, they ate more and they tended to eat

sweet things when giving up smoking," Ms Cursiter said. She said thin and fat women put on weight at equal rates when giving up smoking. The 15 who gave up for at least six months did find a slowing of their metabolic rate at the end of that period.

She believes the key to giving up smoking without weight gain is exercise rather than cutting down on food. Exercise also cut the stress associated with giving up. Active women who gained weight when giving up smoking tended to put on weight evenly. Sedentary women put

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Stonehenge, St Paul's and the Crown jewels fail Consumers' Association test

Top tourist sites condemned as dated and dull

■ Britain is accused of ignoring the needs of foreign tourists who travel to the nation's most popular attractions

By JAMES LANDALE

BRITAIN'S most popular tourist sites are expensive, dated or dull and provide little help to foreign visitors. According to *Holiday Which?* Stonehenge is a disgrace, St Paul's Cathedral is expensive and the Crown Jewels at the Tower of London are "a depressing experience".

In a survey of Britain's ten most popular historic sites, the Consumers' Association magazine finds that "old-fashioned displays, inadequate on-site information, uninspired catering and gloomy toilets are all too common". Access for disabled people is "patchy".

Many of the sites, which attract more than 8.5 million people each year, have "grand plans" to implement changes. But, said Patricia Yates, editor of *Holiday Which?*, "paper plans won't help this year's visitors and are a perfect excuse for not implementing short-term improvements".

The main problem at Stonehenge, the report says, is a lack of information; there is no audio tour and only one guide book. Its annual two million visitors also have to put up with "the dismal concrete underpass, the café with nowhere to sit, the rotting lavatories and the cramped shop". In such a "depressing place", the report asks, "how do the staff man-

age to stay as cheerful as they do?"

Jane Lawrence, spokeswoman for English Heritage, which operates Stonehenge, admitted that the visitors' facilities were a disgrace but said that long-term plans were under way for a new centre, which would include audio-visual theatres, educational sections and a new restaurant.

At the Tower of London, the report says, "the ticket turnstiles might be at a football ground". Visitors, after paying an expensive £6.70 entry fee, are herded through a "cattle pen" queueing system to see the Crown Jewels and given a minimal amount of information. But the Beefeaters are praised for providing informative tours, "with plenty of parade-ground humour".

Major General Christopher Tyler, resident governor, said the report was "subjective". "The tower is a very small place," he said, "and it was built as a royal palace and a fort, not as a theme park." A new jewel house with viewing galleries, "giving walkways and visual aids for foreigners, capable of taking 20,000 visitors a day, is due to open next March."

Hampton Court, the report says, is "well organised, well staffed, with some brilliant displays". The Roman baths and the Pump Room at Bath

are "a well managed plunge into Roman history" with guide books in English, French and German. St Paul's Cathedral is expensive "with limited facilities", Warwick Castle well run but with poor catering, and Edinburgh Castle well upgraded in some sections but "old-fashioned otherwise".

Sue Morris, spokeswoman for the English Tourist Board, denied that the situation was as bad as the report makes out. "The UK is the best in the world for historic sites. We are the envy of many other countries," she agreed that improvements were needed at Stonehenge and said that English Heritage had plans to make them.



From a distance: tourists are kept well clear of Stonehenge, described as "a disgrace" by *Holiday Which?* for its lack of information

Save £2.50 and look from the road

By SEBASTIAN GOETZ

AS I approached, Stonehenge was impressive in yesterday's spring sunshine. But paying £2.50 for a closer look, it was clear the site and its amenities require much attention, despite the coat of paint being given to the dilapidated toilet block.

Signs inform the visitor that changes are planned, though no dates are given. Information is minimal and to be found in the woefully small car park, not near the stones. The closest the visitor can get is about 30ft, although most of the path is at least 200ft away from the site. Brave motorists can take

a much closer look by simply stopping on the side of the road.

Gordon and Joanne Leight from Canada had just visited Bath and were on their way to Windsor. "I wish we could get closer. To travel all this way to be kept over 200ft away is ridiculous," he said. "You come over the hill and it's all very imposing, but you can't get any true perspective unless you get close. You'd like to be able to touch it, like you can the Blarney Stone." Their other complaint was the lack of any guided tour.

Roy Clark, from Maidenhead, was more philosophical: "You can't get close enough, but you have to weigh up whether too many people will spoil the monument. And I wish the information was on this side where you want it."

The site custodian admitted that plans to change access to the stones had been under discussion for some time. Grass was sown two years ago to repair the damage of millions of pairs of feet, but he was unable to say when the fence would be moved closer.

The balance between preserving the nation's heritage and satisfying the tourist is a

difficult one to maintain, a fact of which the site management and many of the visitors are acutely aware.

There are plans to move the visitors' centre and car park to a new location three-quarters of a mile away, but no date has yet been for the necessary public enquiry.

Maris Bush, the Stonehenge site manager, said the lavatory work would start this week and the shop was to be altered to improve floor space. However, it is easy to imagine the shop, the small refreshment stand and the car park being overcrowded in summer.

Law Society takes Mackay to court

By FRANCES GIBB
LEGAL CORRESPONDENT

THE Law Society is to take the Lord Chancellor to court over his plans for a new system of paying solicitors for legal aid work in magistrates' courts.

The move will make Lord Mackay of Clashfern possibly the first Lord Chancellor this century to face accusations of acting in breach of the law in two separate but simultaneous High Court actions. Yesterday, Lord Mackay was accused in the High Court of "gross unfairness" in his conduct of a competitive tendering exercise that led to the latest contracts being awarded for shorthand writing services in courts.

The Law Society's action arises over Lord Mackay's plans for paying solicitors standard fees within fixed bands, instead of by hourly rates. Mark Sheldon, the Law Society president, said the society would seek a judicial review of Lord Mackay's proposed scheme for standard fees, which would worsen the quality of service available to legal aid clients.

The society will argue that the Lord Chancellor has a duty to ensure reasonable remuneration. Russell Wallman, a society official, said: "It is not enough to say that if a practitioner is underpaid in one case, he may with a bit of luck be overpaid in another." Nor, he added, was it any consolation to defendants whose lawyer "had been underpaid, and therefore put under pressure to cut down on the job".

Yesterday's action against Lord Mackay was brought by Hibbit and Sanders, one of the oldest firms of official shorthand writers, which is challenging the decision to award another firm the contract for the Chelmsford group of Crown Courts. David Pannick QC, for Hibbit and Sanders, which has operated at Chelmsford since 1907, said: "Their complaint, in a nutshell, is that the Lord Chancellor has acted in an unfair and unreasonable manner in his conduct of the competitive tendering exercise."

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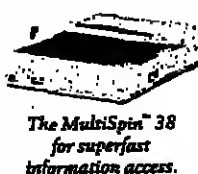
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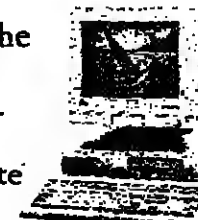
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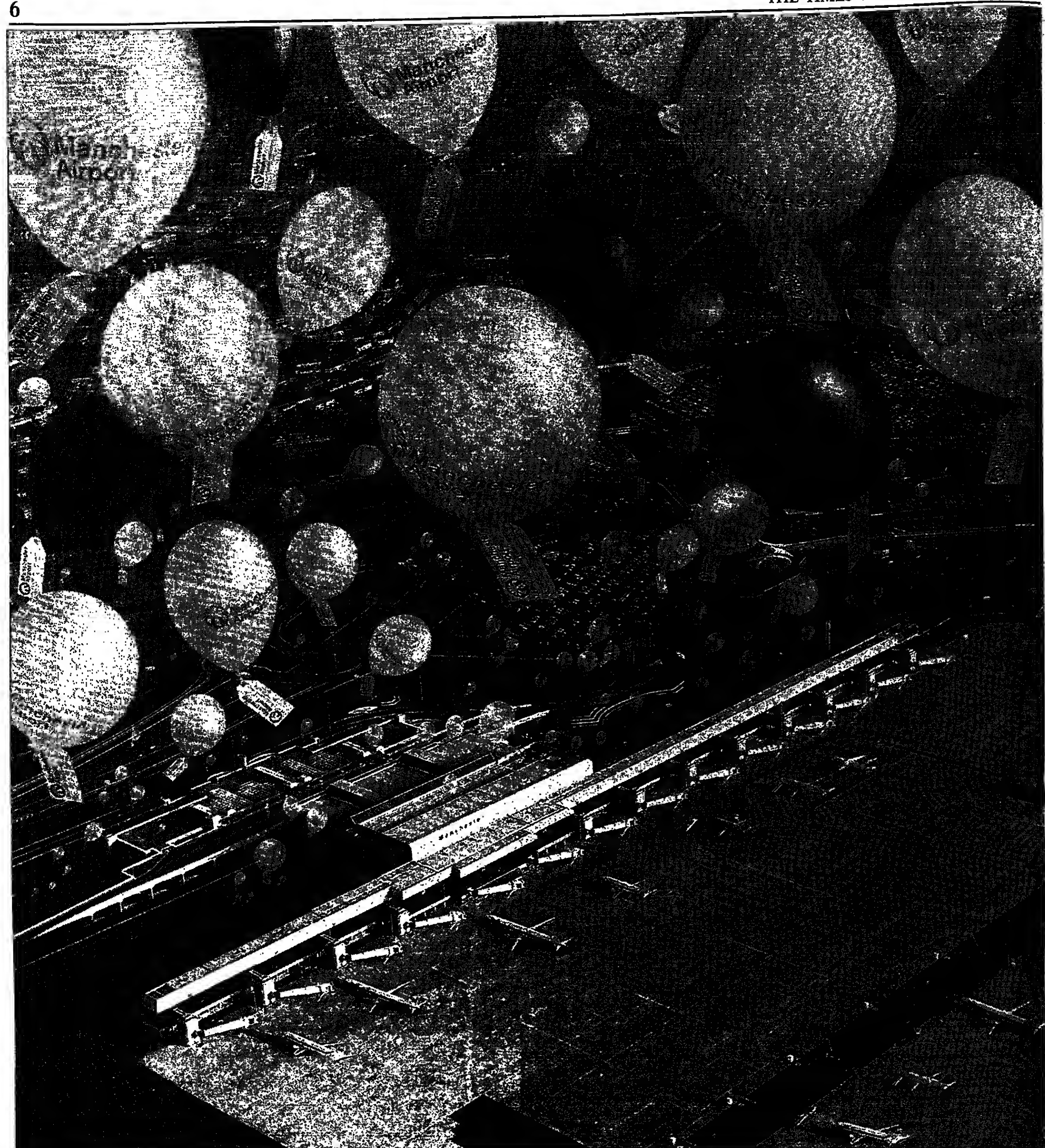
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Surgeon with
operated on
only 11 day

Risk to patients is
remote, say experts

Woman in BSL case
dies of dementia

Blood test results delivered

Surgeon with HIV operated on woman only 11 days ago

By LIN JENKINS

THE consultant gynaecologist and obstetrician diagnosed as HIV positive operated on his last patient four days before taking sick leave last week.

Medway district health authority confirmed yesterday that Terence Shuttleworth, who is "doing well" in hospital, performed surgery on a woman on February 26. The consultant stopped work on March 2 and on March 5 the health authority was informed that he was HIV positive.

Neither Medway health authority nor the health department was able to say when Mr Shuttleworth was diagnosed as having the Aids virus. A spokesman for the health department said it was told by the hospital treating him on March 5 and that it immediately informed the local health authority.

Dr Ann Palmer, the authority's director of public health, said Mr Shuttleworth's last patient was at no more risk than any other. The risk to the estimated 6,000 women operated on by Mr Shuttleworth during the past decade was theoretical. "No case of a healthcare worker infecting patients through their practice has ever been recorded worldwide," the authority said in a statement.

More than 100 former patients at All Saints' Hospital in Chatham, Kent, received the

results of blood tests yesterday. Tests are being offered to women who were operated on by Mr Shuttleworth and they will have the results within 24 hours.

The results will not be made public, and any positive results will have to be investigated to establish how the virus was contracted.

The thousands of women who rang the 40 hospital helpline were being advised by a team of doctors and counsellors. "We assess whether there is any risk in that they have had invasive procedures carried out, and some of those decide to have the test carried out," Dr Palmer said.

Ken Heskest, district general manager, said the panic among Mr Shuttleworth's 17,000 former patients had not been as great as expected. "We were contemplating higher levels of anxiety. People have been calm," he said.

Dr Palmer said the fact that more than 160,000 patients treated by HIV positive doctors in the United States had tested HIV negative, as had patients of the eight previous cases in the NHS in Britain, helped to allay people's fears. She added that those women who had their babies delivered by Mr Shuttleworth — a number in double figures — had been contacted already. Tests have also been carried

out on some patients at the private Alexandra Hospital, Chatham, where Mr Shuttleworth also worked. More than twice the number of women he had treated called for advice.

Some patients arriving for blood tests have criticised the system, believing that health workers should undergo compulsory screening for the virus.

Jacqueline Eldridge, 32, of Gillingham, Kent, who was operated on for a prolapsed womb in 1990, said even a small risk of infection from a surgeon was unacceptable. "There should be the necessary screening to make sure there has been no possibility of the infection being passed on."

Mr Heskest dismissed the idea, claiming it would give a false sense of security since the virus could not be detected in the early stages. "It would not solve the problem."



Warming scene: visitors enjoying a sunny lunchtime in St James's Park, central London, yesterday

Sun drives winter's blues away

By JAMES LANDALE

THE bitter winds that brought a traditional icy start to March finally eased yesterday as temperatures rose and much of Britain was bathed in springlike sunshine. London saw the warmest weather, at 12C (54F), closely followed by Northern Ireland, at 11C (52F).

Despite snow in the first few days of this month, the London Weather Centre had predicted milder weather. "Although we have a weather system coming in at the weekend, the next few days are mostly a dry scenario," a spokeswoman said.

Light southeasterly winds blew throughout the country, and only northern Scotland felt a touch of drizzle.

The National Rivers Authority said that flooding of East Anglia by high spring tides, as predicted last week, was unlikely because of new weather conditions. "The latest information from the Met Office is that the tides are not going to reach such high levels," a spokesman said.

Forecast, page 22

Risk to patients is remote, say experts

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

THE case of Terence Shuttleworth is believed to be the ninth in Britain involving a health worker with HIV who may have put patients at risk. But medical organisations and the health department stressed yesterday the impracticality of testing all health workers who perform invasive procedures.

There has been no confirmed case of the infection passing from a health worker to a patient anywhere in the world. An HIV-positive dentist in Florida was believed to have infected five patients, but

alcoholic or taking drugs that slowed their responses. "It is a question of where you draw the line. It is up to the doctor to report to his medical advisers anything which might harm patients," Professor Irving said.

Joe Jordan, spokesman for the Royal College of Obstetricians and Gynaecologists, admitted there was a risk of blood-to-blood contact during an operation. "Most surgeons are clumsy sometimes and will admit in the course of a long operation to pricking themselves occasionally." However, the risk of passing on the Aids virus in that way was remote because it was not highly infectious, at least 50 times less infectious than the B.

The risk of doctor-patient transmission during surgery is much lower than of patient-doctor transmission because the doctor is exposed to larger quantities of the patient's blood. In Britain, surgeons now take special precautions, wearing two gowns and two pairs of gloves before operating on a patient with known or suspected HIV.

The Department of Health confirmed yesterday that there were no plans to introduce compulsory testing for health workers but said the situation would be kept under review. Last year, Dr Kenneth Calman, the chief medical officer, said testing would provide no guarantee of safety because of the time-lag between contracting the infection and its showing up in a test.

The Association of British Insurers said that patients of Dr Shuttleworth who took up the offer of an HIV test would not jeopardise their chances of obtaining life insurance cover in the future.



Shuttleworth went on sick leave last week

doubts have been cast on the case.

Hundreds of thousands of hospital doctors, GPs, nurses and assistants perform invasive procedures ranging from taking blood samples to major operations. Professor Miles Irving, of the Royal College of Surgeons, said: "Every case of an HIV-infected doctor that passes with no evidence of transmission provides stronger reassurance for the public."

Doctors might pose a risk to their patients for many reasons, for example if they were

Farmer in BSE case dies of dementia

By MICHAEL HORNSBY

SCIENTISTS have reported the first death from a rare form of dementia of a human being who had also been exposed to potential infection by "mad cow" disease, a related condition that has killed more than 80,000 cattle.

Writing in the latest issue of *The Lancet*, the scientists say the coincidence raises the possibility that contact with an infected animal might have caused the dementia, but they stress that there is no evidence to support this conjecture.

Neuropathologists at the Western General Hospital in Edinburgh have been monitoring all British cases of Creutzfeldt-Jakob Disease (CJD), a fatal brain condition that affects about one in two million people throughout the world, for

any change in its character or incidence that might suggest a causal link with bovine spongiform encephalopathy (BSE).

In their letter, they say CJD was the cause of death of a 61-year-old dairy farmer whose herd had a case of BSE in 1989. "This is the first report of CJD in an individual with direct occupational contact with a case of BSE and raises the possibility of a causal link," they say. But they conclude: "CJD in our case is most likely to have been a chance finding and a causal link is at most conjectural."

Jeanne Bell, one of the neuropathologists involved, said yesterday: "All we are doing at this stage is reporting that a man who died of CJD also looked after cows that developed BSE."

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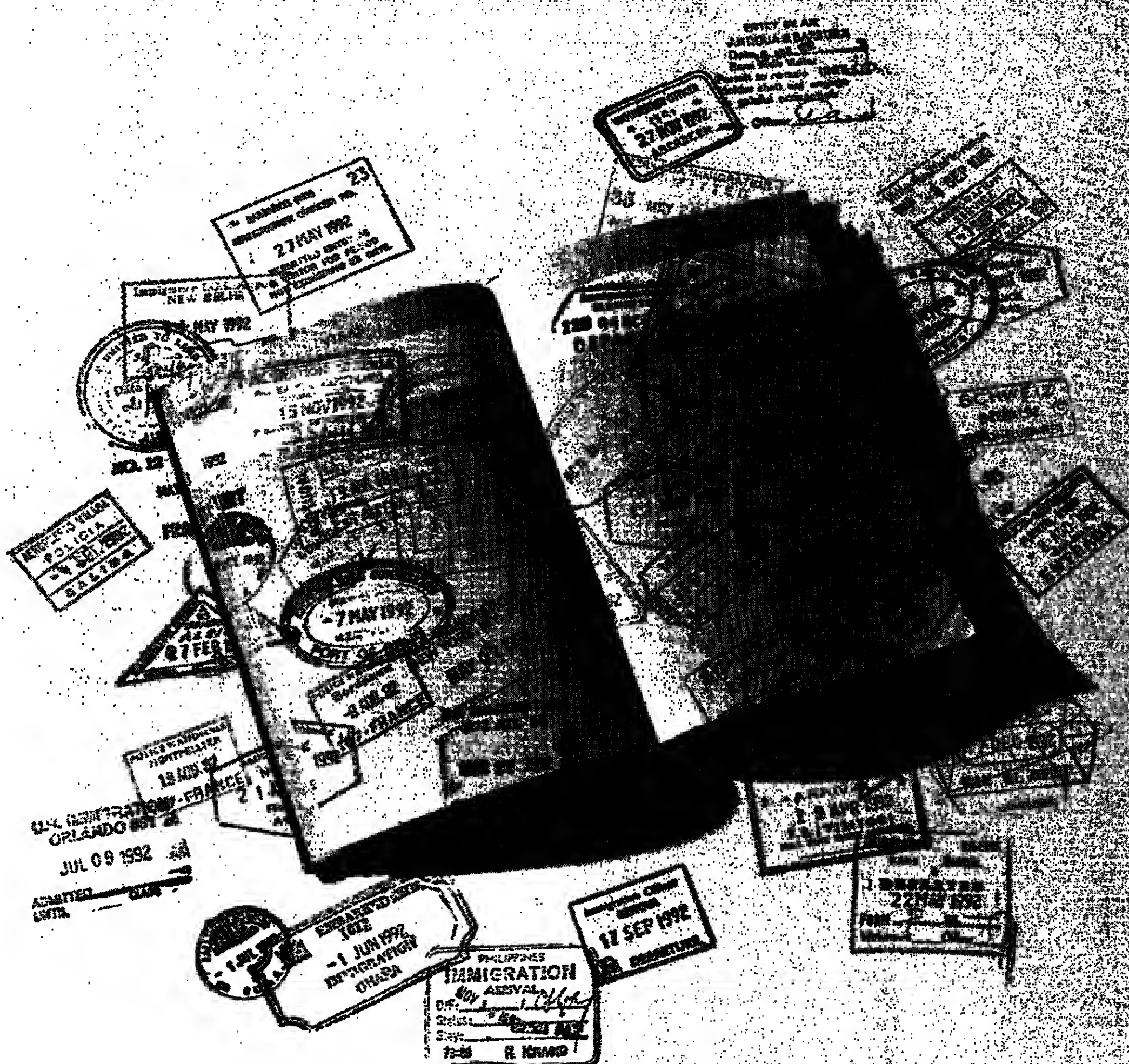
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Jobless rate for blacks and Asians is twice the national average

By Philip Bassett, Industrial Editor

UNEMPLOYMENT among black and Asian people is running at more than double the rate of white unemployment, according to details on race and joblessness published today by the GMB general union.

The figures use information from the government's census, held once every ten years, to show what the GMB says are the real levels of unemployment. Bill Morris, general secretary of the TGWU transport union and Britain's most prominent black trade unionist, is likely to use the figures to attack the government's economic and employment policies in a speech in Manchester today to the GMB's first race equality conference.

The 1991 census asked

about people's ethnic background for the first time and the union has updated the information to last month. GMB analysts said the updating process, if anything, understated the increase in ethnic unemployment since the census was taken.

The figures show white unemployment running at 11.9 per cent, while unemployment among Asians is 19.8 per cent and black unemployment is 24.2 per cent. The overall unemployment rate across the UK is 10.6 per cent. Non-white unemployment is higher in every region of the country than white unemployment, and is worst in the West and East Midlands, and in Yorkshire and Humberside.

The GMB's figures also show for the first time ethnic

unemployment in individual towns and local authorities around the country. Based on unadjusted figures, the highest black unemployment is in Liverpool, where it stands at 35.4 per cent, followed by Manchester (30 per cent), Knowsley (29.9 per cent), Hackney (29 per cent) and Kensington and Chelsea (28.7 per cent). Among Asians, the highest unemployment is in Tower Hamlets, east London, where 41.9 per cent, or more than two-fifths of all Asians in the area, are out of work.

Donna Covey, GMB national officer, said: "The picture shown by these statistics is that the effect of the government's economic policy is racist. We cannot tolerate a situation where the colour of your skin determines your job, career and income."

The way it isn't



EVERY decade fosters its own pseudo-guru: the nineties has kicked off with David Koresh and his Waco followers, the eighties saw the Bhagwan Sree Rajneesh and the Orange People, the seventies, Jim Jones and his doomed People's Temple in Guyana, and the sixties the Maharishi Mahesh Yogi.

These things always end in tears. Ringo Starr will be remembered for leaving the Maharishi's retreat in Rishikesh early, later claiming that his disillusion with His Holiness set in after the Maharishi began making eyes at Jane Asher.

The ministries of Koresh and Jim Jones ended in murder. The Bhagwan was caught by the tax

inspectors. The followers of the Bhagwan were the only ones with whom I came into contact.

The elder sister of a friend of mine had asked several Orange People — so called because they dressed in hues of red and orange — to stay in her mother's house. Before they arrived, she grew nervous that her mother, a most forthright woman, would be rude to them, so she extracted a promise from her that she would treat them quite civilly, avoiding all mention of the Bhagwan.

At the appointed time, the Orange People walked in, each one wearing a medalion with a photograph of the famously hairy and bearded Bhagwan around his neck. My friend's sister introduced the first in the line to her mother who, determined to be as good as gold, held out her hand, smiled sweetly, pointed to the medalion, and purred, in all innocence: "But what a delightful ideal! How simply lovely to wear a photo of your dog around your neck!"

The Council for Racial Equality said the census results were disappointing but not surprising in a recession that was rolling back advances made towards eliminating job discrimination.

Chris Myant, the council's spokesman, said: "It is not even a matter of skill differential any more, because we know that skill levels are at least as high among the ethnic groups. They are at an inherited disadvantage, and there is a mixture of direct and indirect discrimination which is becoming an institutionalised problem."



Morris speaking at race equality summit



Outside job: Mike, serving nine years for armed robbery, commutes to London Bridge from his jail in Kent

BR puts prisoners back on the rails

By Richard Ford, Home Correspondent

KILLERS, armed robbers and fraudsters are being employed by British Rail while they are still serving prison sentences. And BR is planning to extend its pilot scheme to tap a pool of potentially high quality labour while also preventing reoffending.

Tony Giles, recruitment manager with Network SouthEast, who launched the scheme, said: "In every case, the standard of the candidates from the prisons is far, far higher than we would normally get. They don't raise their expectations, they have loyalty and commitment and we are able to retain them."

He has recruited more than 40 men and women prisoners from jails in London and Kent to work in the southeast division of Network SouthEast and says BR wants to extend the scheme throughout its organisation. The men and women have found work as clerks in recruitment centres, signallers, timekeepers and tracklayers. Strict assessments have ensured that, so far, the scheme has been an unqualified success.

The prisoners undergo weeks of assessment by Mr Giles before they are

accepted. BR will not employ sex offenders, nor, he adds, would they employ an armed robber in a ticket office where there was a lot of cash.

Mr Giles said: "I have had prisoners begging me for a job because they do not want to go back down the road of crime. Once someone has the tag of being an offender it is very difficult for them to get

'The job has got me back into the community. It means I won't try to make money in criminal ways'

work and then they are tempted into trouble again."

Mike's last big job was an armed robbery at a post office in Essex, for which he received a nine-year jail sentence. Now he hopes to go straight.

While in prison Mike, from Newham, east London, has gained a City and Guilds qualification in motor mechanics and done courses on book-keeping, word processing and typing. Each morning for

the last few months he has commuted from prison to BR at London Bridge, done a day's work experience putting job application forms on to a word processor, then joined the rush-hour back to jail. BR pays the taxi fare from the prison to the station and gives him £5 expenses a day for meals.

Mike, who must be back in prison by 7.30pm, said: "I never thought I would be doing a clerical job or working for BR. The job has got me back into the community and it means that when I come out I will have employment and some money. It means I won't try to make money in criminal ways."

He went to an interview yesterday for a full-time job as a shunter that could result in him earning between £250 and £350 a week. The costs of his accommodation at Blantyre House prison in Kent will be deducted from his wages and the rest banked for his use when he is released on parole.

Mr Giles said the prisoners got no special treatment and had to apply for jobs like everyone else. "A lot of people said I was crazy but these prisoners are a source of very high quality candidates."

Woodrow Wyatt, page 18

Tube staff fight back in court

By Tim Jones, Transport Correspondent

STAFF on London Underground who are assaulted by the public are to be supported by the company in prosecuting their attackers.

Last year, nearly 200 employees were injured and a further 600 were victims of common assault. "Front line" staff who deal with customers are also being trained to deal with potentially violent situations and are being issued with sophisticated personal alarms and an identikit card with which they can build up a picture of an assailant.

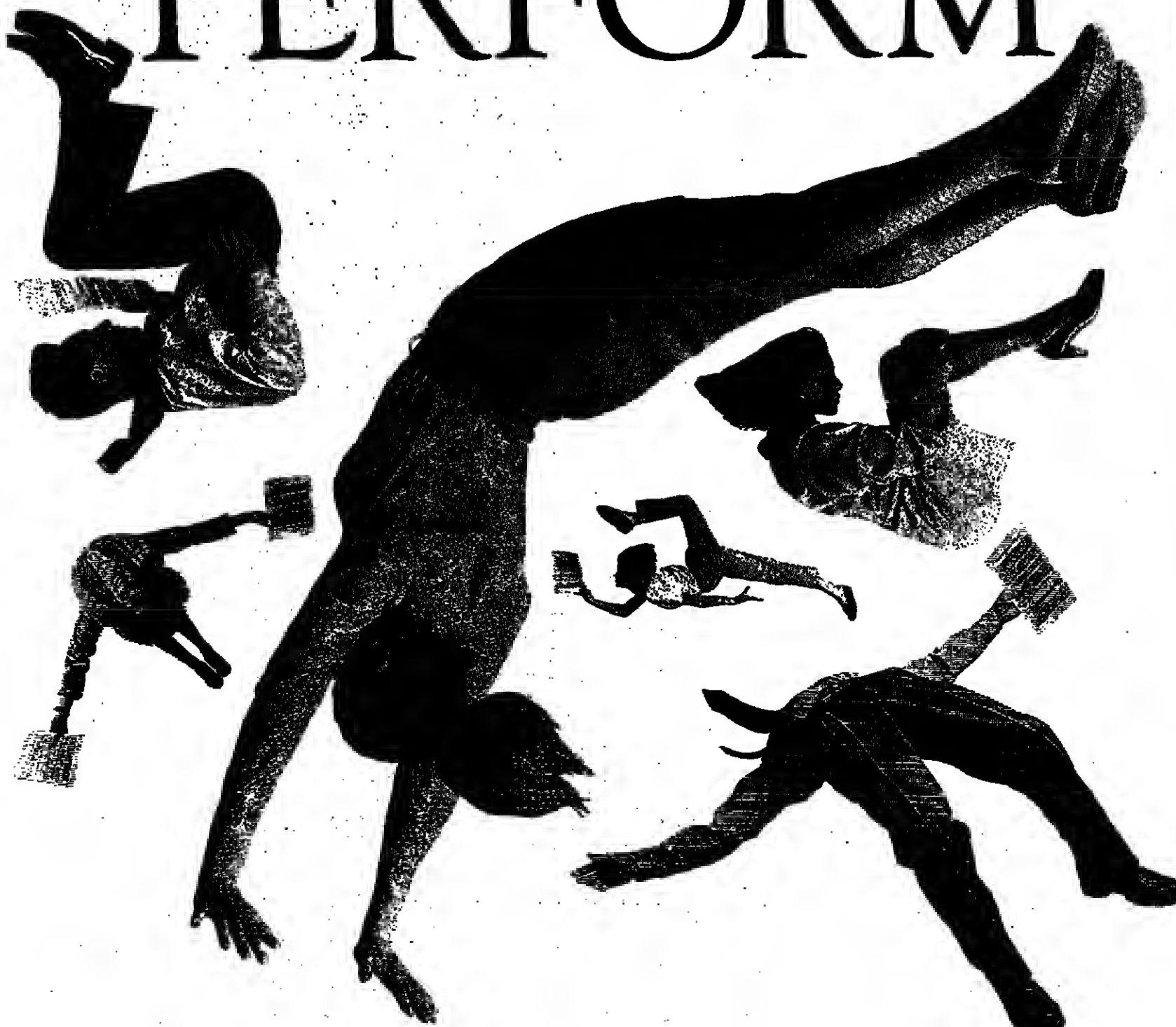
The company has decided to pay for private prosecutions in cases of common assault which do not necessarily involve injury and which, therefore, do not attract criminal charges. Under the scheme, a company representative will accompany a victim to a magistrates' court to apply for the issue of a summons, serve the summons on the alleged assailant and represent the employee at court hearings.

Most of the common assaults take place in ticket halls and, although there is often no visible injury, staff can be traumatised by being pushed, shoved and verbally abused. Managers hope that the training programme will help staff to talk themselves out of trouble by calming aggressive customers.

Paul Kirwan, personal security manager, said: "London Underground is keen to show its support of its staff. We recognise how traumatic assault can be and take an extremely serious view of incidents of staff abuse. It also sends a clear message to the small minority of our customers who do abuse Tube workers that we are not prepared to put up with it."

In a separate development, London Underground has introduced drug screening for pre-employment, before first promotion and before first transfer into safety-critical jobs where staff are involved with train movements. A positive result could lead to six months in prison. Since the tests were introduced in January, a station foreman has been convicted and is awaiting sentence.

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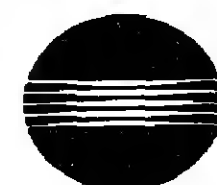
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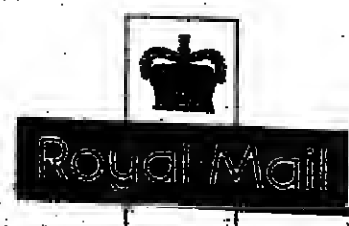
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POLYMER

Splits grow in the party of property as peers condemn leasehold reform bill

By MATTHEW D'ANCONA

THE Conservative party today goes to the vote on a piece of legislation which has been denounced by its intellectual and moral leadership as a piece of class-based legislation more suited to the Labour party than the traditional party of property.

The Tory split over the housing and urban development bill, which reaches its committee stage in the Lords, reflects a profound ideological division over the Tory doctrine of property. The government says that the bill, which could force thousands of landlords to sell their freeholds to long leasehold-

ers, extends the "right to buy" principle which increased the number of owner-occupiers by 13 per cent between 1979 and 1990. Tory opponents object that the bill is a travesty of Thatcherite principles and a crypto-socialist threat to the sanctity of freely made contracts. Even the arch-loyalist Lord Whitelaw of Penzance, has questioned the measure.

Lord Hailsham, the former Lord Chancellor, said that the measure might have unpleasant social and aesthetic consequences, but the central principle was acceptable. "There may be an element of want of compensation in it, but it's no more confiscatory

than the liberation of slaves. It simply enables a leaseholder coming to the end of a lease to purchase it compulsorily. But there must be full compensation to meet the loss of assets." In its present form, the bill proposes that freeholders forced to sell be compensated with half the difference between a property's freehold and leasehold values.

The decision by the Duke of Westminster, who owns much of Mayfair and Belgravia, to withhold donations to the Conservative party has galvanised opinion in the Lords. Lord Whitelaw said he was concerned that the bill might entail a violation of property rights

and that charitable freeholders would suffer.

The stormy passage of the bill has been characterised as a battle between a small clique of landed aristocrats and the mass of leaseholders. But to those who helped to fashion the political values of the 1980s it is a rank betrayal of first principles. Lord Tebbit has described the bill as a socialist intervention in the market.

Lord Harris of High Cross, founder of the Institute of Economic Affairs, said the measure was "totally deplorable" and a threat to the rule of law which had been the basis of British capitalism. "A breach of contract may

happen when there's the most overwhelming public good. But there isn't here." The measure was pure populism, he added. "If you take £100 from one man and give £1 each to 100 men you make one enemy and 100 friends. There are more tenants than landlords."

Patrick Minford, professor of economics at Liverpool University, said the measure was "a gross violation of our unwritten constitution". "It violates one of the deepest principles in a free-market economy which is that there shouldn't be retrospective changes to a private contract... It has been argued that there's some sort of monopoly here, but you can't have

a monopoly in land-holding. It's not an industrial activity."

Though the bill is likely to become more complex as backstairs deals are struck to avoid a government defeat, many Conservatives feel its fate will be a defining moment in the formation of post-Thatcherite ideology. Jonathan Clark, a Conservative historian and fellow of All Souls College, Oxford, said that the bill reflected the changing identity of the party. "We have always thought of the Thatcher years as a reassertion of the sanctity of contract. But we should also look at it as power-play between different blocks of wealth in the Tory party. Originally it was

the party of landed wealth. Then it became the party of urban renters. The repeal of the Corn Laws in 1846 was when the landed element was ditched; perhaps this is the urban landlord class being ditched."

Enoch Powell was more succinct: "If Toryism includes stealing from dukes, it is a Tory measure." A minor concession — excluding non-resident leaseholders from the provisions of the bill — granted to rebel Tory peers was dismissed as "meaningless" by opponents of the bill yesterday. The Royal Institution of Chartered Surveyors has proposed 14 amendments to the bill.

Strike vote undermines support for pits rescue

By JILL SHERMAN, NICHOLAS WOOD AND ROSS TIEMAN

BACKBENCH Tory support for a big pit rescue package was in jeopardy last night after the miners' vote in favour of one-day strikes against the government's original plans for the closure of 31 collieries.

As a cabinet committee chaired by John Major met to consider plans for a £600 million bail-out programme, Elizabeth Peacock and Winston Churchill, two of the government's most strident critics, indicated that the vote by the National Union of Mineworkers had weakened their case.

Norman Lamont, the Chancellor, was said to be concerned about the scale of the subsidy being sought by Michael Heseltine in his long-running attempts to trim the number of closures. At the same time, Mr Heseltine confirmed that the rescue package was running into serious difficulties and disclosed that no announcement would be made until after the Budget on March 16. The timetable had slipped because the electricity generators were still questioning the trade president's efforts to expand the market for domestic coal.

Electricity industry insiders suggested that the NUM had played into Mr Heseltine's hands by supporting strikes. They suspected that he had been holding back in the hope that the union would risk the loss of public support and get the government off the hook. Mrs Peacock, a leading figure in the successful backbench uprising against the autumn announcement of 30,000 job losses, said the NUM vote was a blow. "It has undermined many of my arguments. My strongest argument was that we have a confident, reliable industry ready to face the future. But that goes out of the window when they are now considering taking strike action."

Mr Churchill said the strike vote could not have come at a worse time. "It raises the spectre of militant miners and reminds people of the damage that Arthur Scargill did to the British economy."

Under Mr Heseltine's review, importation of electricity from France, which substitutes for the output of some six coal mines, will be left un-

touched, as will the rising level of domestic nuclear output. Ministers have also refused to slow the rate at which new gas-fired power stations are being built. Instead, they have tried to pressure the two main generating companies, National Power and PowerGen, into substituting coal from British mines for the fuel they would otherwise have imported at two-thirds of the price.

The generators have offered to take an extra 4.1-4.3 million tonnes more coal over the next five years. According to power industry sources, that offer has been on the table for a fortnight, but ministers have not sought to finalise details, nor to discuss the subsidies which would be needed.

Richard Caborn, Labour chairman of the Commons trade and industry committee, which supports a big rescue package, said the NUM vote was understandable.

Mr Heseltine admitted in a BBC radio interview that the white paper had been postponed until after next week's Budget. His main problem was trying to persuade British Coal's biggest customers to buy more coal. "The reasons for the delay are very simple — I have no powers to make people buy coal. At the moment there are no contracts to buy coal from the end of this month."

The NUM executive will meet on Thursday to decide when to call miners out as part of a rolling programme of action against the closures. A total of 21,424 NUM members voted in favour of a strike — 60 per cent — with ten of the union's 13 areas backing industrial action.



Peacock attacking action by NUM



Money men: Norman Lamont, the Chancellor, centre, and his Treasury team, from left, Sir John Cope, the Paymaster General, Stephen Dorrell, financial secretary, Michael Portillo, chief secretary, and Anthony Nelson, economic secretary, take a break from their Budget labours yesterday for a photo-call. Anthony Harris, page 23



Taxpayers' money 'stolen'

Lord Tebbit used his maiden speech in the Lords to attack EC corruption, saying that British taxpayers' money was being "stolen". The former Tory party chairman, speaking in a debate on fraud in the Community, pointed to the Italian corruption scandal and accused other EC countries of not observing their own laws or looking after their own taxpayers' money. He attacked the Community for taxing European citizens "to raise the price of fraud."

Rushdie fury
Peers reacted angrily after Lord Mackay of Clashfern, the Lord Chancellor, said that Dr Kalim Siddiqui, leader of the self-styled British Muslim parliament, is not to be prosecuted over a radio interview in which he is reported to have said that he would "break every bone" in the body of the author Salman Rushdie.

In Parliament
Commons (2.30): Questions: defence, prime minister. Debate on manufacturing and unemployment.
Lords (2.30): Housing and urban development bill, committee.

Lib Dems urge new tactics on crime

By ARTHUR LEATHLEY

IMMEDIATE crime prevention opportunities are being missed by a government intent on long-term diagnosis of the problems, the Liberal Democrats claimed yesterday. A survey by the party suggested that simple anti-crime tactics adopted by local authorities had drastically reduced crime levels. Robert Macdennan, the party's home affairs spokesman, said that inexpensive locally managed projects had proved effective and showed that complex legislation and sophisticated statistics were not the best solution. The survey of 29 Liberal Democrat authorities had shown that small-scale crime-prevention techniques had led to substantial reductions in car crime, burglaries and vandalism and could be increased with greater government funding.

Mr Macdennan said: "It is clear to us from this survey that well designed and well managed initiatives at local level can have a dramatic impact on levels of crime and the fear of crime which communities suffer." He called for more central funding and greater use of police crime prevention officers. There were only 759 such officers out of a force of 126,000, he said.

Brown demands closure of tax loophole

By JILL SHERMAN, POLITICAL CORRESPONDENT

LABOUR yesterday called on Norman Lamont to close a tax loophole in business expansion schemes, which it claimed was being exploited by the big lending banks which sold repossessed homes to top-rate taxpayers and then bought them back.

Gordon Brown, the shadow chancellor, urged Mr Lamont to act before the Budget to stop the big banks abusing a scheme which was set up to encourage a broader range of smaller investors.

Mr Brown said the loophole, which he claimed could cost the taxpayer £400 million this year, was turning the "misery of the repossessed into a tax avoidance opportunity" for the very rich.

Banks were offering extremely attractive rates of return within six months, equivalent to nearly 50 per cent a year, to companies

which would buy repossessed homes. The banks would then repurchase them five years later.

Citing the example of a £40,000 house, Mr Brown said the government handed out £16,000 in tax relief for its purchase to a group of top-rate taxpayers. "Six months later the top-rate taxpayer gains £5,600 for every £40,000 put up, equivalent to an annualised gross return of 49.9 per cent on his investment."

"The bank gains as much as £10,000 from public funds with the house returned to them after five years."

Mr Brown predicted a proliferation of announcements from the big banks in the next few days for similar schemes to attract purchasers for repossessed homes.

"In ten days alone schemes have been announced that will

cost the Treasury £160 million, and I challenge the Chancellor to admit this," Mr Brown said. "I now estimate that the whole tax shelter scheme could cost the public funds more than £400 million over the year — before the cut-off date in December — with no real benefit to the public as a result."

The Treasury yesterday emphasised that some loopholes in the business expansion scheme, which ends this December, had already been closed. However, they pointed out that if Mr Lamont was intending to make further changes to the scheme it would be announced in the Budget.

Mr Brown said that executives were currently cashing in on the misery of one family who had lived at 2 Redlees Close, Isleworth. "This house was repossessed and sold by

Bardays to a business expansion scheme company. Their shareholders bought the property for £55,000 and without any risk will make £7,700 tax free after six months."

"The Exchequer will lose £7,700," Mr Brown said. The top-rate taxpayer had a totally risk-free investment, despite the original purpose of the scheme to offer incentives for high-risk investment. "When the government is prepared to do absolutely nothing for the homeless themselves but gives tax relief to the rich on the repossessed homes this is a scandal of the highest magnitude," Mr Brown said.

"The loophole should be closed today before the Budget and the Chancellor should make an immediate statement. If it is not Labour will move amendments in the finance bill to close it."

Euro-rebels batter Major's credibility

The authority of the Major administration is now in question. Past governments have, of course, often lost votes in the Commons, or had to accept opposition amendments to avoid defeat, but last night's outcome was different, and much more serious. Most governments which have lost votes have not had an overall majority in the Commons as the Tories, in theory at least, now do. Even governments with an overall majority have generally only lost on secondary matters and not on issues central to their existence, as the Maastricht bill has now become for John Major.

The minority Labour government suffered 17 defeats between the February and October elections of 1974. Over the following four and a half years, the Wilson and Callaghan administrations, which soon became a minority in the Commons again, lost 42 votes. In some cases, the defeats were serious, as over 1976, which was immediately followed by a vote of confidence. In other cases, a loss was reversed in



time — as, for example, the defeat on the guillotine for the Scottish and Welsh devolution bill was in the following session. These votes weakened the authority of the government, which only survived as long as it did thanks to the Lib-Lab pact of 1977-8.

The subsequent majority Tory governments did suffer the occasional defeat in the Commons, though generally only once or twice in any parliament. The government lost more often in the Lords during the 1980s, although mainly on the details of bills.

The Thatcher government was, for instance, defeated in the Commons in December 1982 over immigration rules, which had then to be rethought. In April 1986, the government lost the second reading of the bill to liberalise shop hours. While such a defeat was virtually unprecedented, most Tory MPs were relieved that such a contentious issue had been removed from the agenda.

The Major government's

current predicament is now more desperate. It faces a double bind over the Maastricht bill. First, it is in the weak parliamentary position of a minority government, like the Labour administrations of the late 1970s, constantly seeking the support of the smaller parties as the Tory whips were yesterday. Second, the challenge has come over a central plank of its programme.

The humiliation is even greater because it follows within days of warnings by Mr Major and other senior ministers of the damage being done to the government and the Tory party by the continued divisions over the bill. Their appeals to loyalty and unity were last night brushed aside in the most brutal way by the Tory Euro-skeptics.

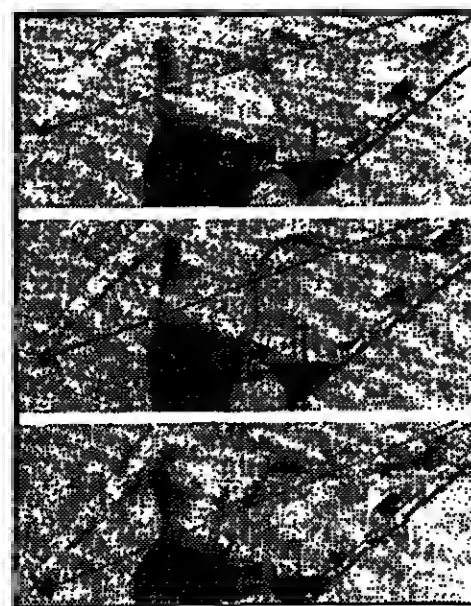
Ministers' attempts to minimise the damage are unconvincing. It is no good blaming the fall in the government's majority from 100 to 20: the Churchill government survived with a smaller majority from 1951 to 1955 with no hiccup. Moreover, while yesterday's

amendment is of little substantial importance and will not affect ratification of the treaty, it does mean that there will be a report stage, prolonging the Commons debates by at least three to four weeks. The government has lost control over a key part of its legislative programme.

There is little that the government can do. Withdrawing the whip from the hard core of Tory rebels would merely create martyrs and would not change any votes. When a sizeable minority of government backbenchers are prepared to defy the leadership, all that ministers can do is press on in hope. The option of dropping the legislation, as some Euro-sceptic ministers might wish and as happened over the bill to reform the House of Lords in the late 1960s, is not open. Mr Major has staked the credibility of himself and his government on obtaining the bill. He should still do so, but it is going to take a long time and further bruising struggles.

PETER RIDDELL

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Power broker's arrest in tax case scares Japanese political elite

By DAVID WATTS

SHIN Kanemaru, once the most powerful behind-the-scenes political broker in Japan, was arrested at the weekend and is in jail for questioning about alleged tax evasion on billions of yen in political donations.

The sums involved have shocked even a Japanese public hardened by decades of misdemeanours by their politicians, and the case has flabbergasted Mr Kanemaru's peers, at least some of whom could face a similar fate. "If he can be arrested, so can half the politicians," one observer said.

Mr Kanemaru's detention appears to mark a new boldness on the part of the Tokyo prosecutor's office after it gave the former Liberal Democratic Party wheeler-dealer what amounted to a financial slap on the wrist when he admitted receiving an illegal political donation of 500 million yen (£2.95 million) last year from the Tokyo Sagawa Kyubin delivery company. He re-

signed from the Liberal Democrats after being fined 200,000 yen without even having to appear in court. Many other top politicians are linked to the firm.

Newspapers said yesterday that Mr Kanemaru had diverted 2.8 billion yen in political donations to his private use. "The people's distrust [of politicians] has now reached a dangerous height of anger because of allegations that he hid the money for his gain," *Asahi Shimbun*, the leading daily paper, said. "It made a fool of those who often repeat the maxim about politics being a costly business."

Asahi and *Yomiuri Shimbun*, another daily, said Mr Kanemaru, 78, and Masahisa Haibara, his aide since 1984, had switched the 2.8 billion yen into five-year discount bonds, which can be held anonymously. Of the total sum converted into bearer bonds, prosecutors said they were considering tax evasion charges on 1.2 billion yen of

the two men's incomes since 1987, according to the reports.

Takeo Takahashi, the deputy chief prosecutor, said the final tally of the cash was not yet available, nor were its sources. He insisted that prosecutors had not been influenced by Mr Kanemaru's past record, stating: "We are not discriminating against him or for him. The seriousness of the case meant that he had to be detained for questioning."

As if to underscore the different atmosphere at the time Mr Kanemaru was fined last August, prosecutors had him arrested at a Tokyo hotel and taken straight to a police detention centre, where conditions for ordinary prisoners are bleak.

The prosecutors have until the weekend to decide how they will proceed with the case. If he is found guilty, Mr Kanemaru could face a maximum penalty of five years in prison and a fine of five million yen.

Team Spirit rules as troops come ashore



Beach party: American and South Korean marines making an amphibious landing at the start of annual joint military exercises yesterday. The North Korean government denounced the exercises as a rehearsal for invasion and immediately responded with a "semi-war" alert.

Army chief sacked by Seoul president

By DAVID WATTS

THE determination of South Korea's civilian president to break the link between the military and politics was realised yesterday when Kim Young Sam dismissed the army chief of staff and the head of the notorious intelligence services. As part of his revamp of the government, President Kim also reshuffled his cabinet, already affected by scandals.

Although the president had made clear that he would seek to remove the army's influence from politics, the dismissal of General Kim Jin Young came as a surprise. He was replaced by General Kim Dong Jin, the deputy chairman of the joint chiefs of staff.

President Kim has long suffered from the army's attempts to control politics, more than once being tear-gassed and roughed up during the struggle for democracy in the mid-1980s when he was an opposition figure. He joined the ruling party only three years ago and was inaugurated on February 25 as the first civilian president in 30 years.

The dismissed army chief of staff, unlike his replacement, was a member of a secret army society linked to previous military coups. He was dismissed as the annual joint American-South Korean Team Spirit military exercises involving 120,000 men started, with US Marines staging an amphibious assault near the city of Pohang while a force of army rangers parachuted behind "enemy" lines.

The ten-day joint field exercises involve 70,000 South Korean soldiers and 50,000 American troops, 15,000 of whom have flown in from the United States and Okinawa. The exercises, resuming after a year's hiatus designed to encourage improved relations between South and North

Korea, were immediately denounced by Pyongyang. The Korean Central News Agency said the authorities had put North Korea on a "semi-war" footing, claiming that the exercises were a rehearsal for an invasion after allegations that Pyongyang was developing nuclear weapons.

Although this year's exercises are smaller than previous ones in terms of the number of people involved, high state-of-the-art weapons such as Patriot missile batteries, B1B bombers and F117A stealth fighters are taking part. President Kim removed General Suh Wan Soo as commander of the defence security command, which served as a springboard for the 1979 military coup, and appointed a lower ranking officer in his place in what was seen as a downgrading of the post.

In an attempt to stem increasing criticism of his cabinet, Mr Kim appointed Kim Doo Hee, a former prosecutor-general, as justice minister to replace Park Hee Tae, who resigned after it was disclosed that his daughter entered a South Korean university as an American citizen to avoid entry requirements.

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Nepal impatient for fruits of democracy

FROM CHRISTOPHER THOMAS IN KATHMANDU

THE Nepalese government, torn by internal dissent and battered by the communist opposition, is in trouble less than two years after coming to power in the first multiparty elections in three decades. Ministers have hinted privately that there could be a snap general election.

Last weekend the communists mounted protests in all 75 districts against a hydroelectric project on the Indian border. The police fired teargas, injuring three communist MPs, and shot dead a student. It was the second serious bout of violence since democracy was restored. The 19 million Nepalese, among the poorest people in the world, are disillusioned that the abolition of monarchic rule has brought no improvement.

Prices of basic goods continue to rise and international aid agencies say that poverty is worsening. Almost the entire population works in agriculture and there is no industry except carpet weaving, which employs women and children at poverty wages.

King Birendra, looking out from his palace in

Kathmandu, must feel vindicated. He always argued that Nepal, a patchwork of ethnic groups, was not suited to multiparty democracy. If there were an election now, most observers think the royalists would increase their modest parliamentary strength, although only slightly.

The biggest threat facing the government of Gurjya Prasad Koirala, the prime minister, is a controversy over the Tanakpur hydroelectric project.

Describing the project as an attack on Nepal's sovereignty, the communists said India was allowed to undertake the project under a treaty that required parliamentary approval. The Supreme court has ruled in their favour and the government is seeking parliamentary ratification. The communists say a two-thirds majority, which the government cannot muster, is needed.

They want the government to balance relations by developing closer ties with China, but Peking shows little interest in developing the relationship.

THE TIMES TUESDAY MARCH 9 1993

TO CELEBRATE THE BRITISH NOV YEAR

FOR MORE INFORMATION



THE CAR IN FRONT IS A TOYOTA

Angola rebels take Huambo after 10,000 die in battle

■ Jonas Savimbi, fresh from victory, may return to the negotiating table in a stronger position, or he could try to goad his forces to win the 17-year civil war outright

FROM SAM KILEY IN NAIROBI

THE bloodiest battle in Angola's long-running civil war ended yesterday as the government admitted that its troops had withdrawn from the strategically important city of Huambo after two months of fighting that has left at least 10,000 dead.

Diplomats in Luanda, the Angolan capital, said that the capture of Huambo by rebel Unita forces ended the most vicious battle being fought anywhere in the world. The victory for the Union for the Total Independence of Angola (Unita) was now complete, said Jonas Savimbi, its leader, with the confidence to enter peace talks.

Last night, Unita radio announced that Dr Savimbi would broadcast to the nation today to outline his ideas on negotiations with the government and the organisation of humanitarian aid for victims of the conflict. The announcement came after international aid organisations tried to get permission to fly teams into Huambo, where Unita was born and which has been cut off from food and water for two months. "The situation there can only be catastrophic," James Fennell, part of an assessment team from Care International that arrived in Luanda yesterday, said.

Unita claimed over the weekend that it had finally overthrown the centre of the city and hoisted its flag over the governor's residence, which had been a government stronghold. Yesterday, the

government said that its troops had withdrawn for redeployment elsewhere in the battlefields of the central highlands, Unita's home territory.

The battle for Huambo was the fiercest and most conventional engagement in Unita's 17-year guerrilla war against the Popular Movement for the Liberation of Angola, since the fight for Cuito Canavale five years ago.

The city, aid workers said, had been almost flattened four weeks ago after artillery exchanges and daily bombing raids on Unita's positions by the Angolan air force. Government sources said that they had had reports of thousands of rotting bodies, mostly civilian, littering the streets as well as widespread famine and disease in Huambo, once the centre of Angola's most productive agricultural area.

"With this victory Savimbi may feel that he has a stronger negotiating position and I expect some sort of preliminary talks to go ahead in the next few days," a Western diplomat in Luanda said. Others suggested that the fight for Huambo may be a forerunner of worse things to come if Dr Savimbi decides to try to win the civil war outright. "Neither side can win in the long run, but Huambo may goad Unita on rather than slow them down," another diplomat said.

Yesterday, Unita's high command offered to enter negotiations with the government of President dos Santos, provided that a meeting would be in Geneva rather than Addis Ababa, the Ethiopian capital, which has been the scene of two abortive United Nations attempts at negotiating a ceasefire. Last night, there was no reaction from the government.

■ Envoy named: Anthony Richard Thomas has been appointed British ambassador to Angola, the Foreign Office announced in London (Evening Standard writes). Mr Thomas has previously been based in Washington, Venezuela, Hungary, Spain, South Africa and Brazil.



Savimbi: ready to set terms for talks



Military action: an Israeli soldier collars a Palestinian youth in east Jerusalem yesterday where tension was increasing. Israeli-Arab violence has increased since the December deportations in southern Lebanon of 400 Palestinians. 52 Arabs and eight Jews have been killed

Democrat leaders agree cuts package

FROM WOLFGANG MÜNCHAU IN WASHINGTON

THE survival chances of President Clinton's \$500 billion (\$547 billion) programme of spending cuts and tax rises improved greatly after Democrats in Congress agreed a provisional package of more cash restrictions.

The president and Democrat leaders were due to meet yesterday to discuss the plans but the White House has already indicated it approves of further spending cuts in principle, even though these may affect the extent and timing of some Clinton programmes. The decision, expected to be formalised this week, will help Democrats rally around a common position.

The cuts, of about \$55 billion over five years, serve the purpose of answering Republican accusations that the president's package amounted to little more than an old-fashioned Democrat tax-and-spend spree. But they are also designed to keep on board sceptical Democrats, who have expressed disappointment that no more spending cuts had been forthcoming. These fears were heightened recently when a group of

economists gave a warning in testimony before Congress of a budget shortfall of \$67 billion over five years because the administration had made a series of over-optimistic assumptions about the economy. The growing undercurrent of scepticism has led the White House to employ a combination of strong-arm tactics and sweet-talking to bring Democrat dissenters into line. So far, this seems to have worked.

The administration is also trying to get the budget on a so-called "fast track" to cut through some congressional bureaucracy. The effect of this is to reduce the scope for Congress to pick the package to pieces and "present" other proposals.

The Clinton administration would like to emulate this process, known as reconciliation and successfully exploited by Ronald Reagan in 1981, by which congressional committee members reconcile a president's package and their own amendment proposals into a single tax-and-spend package, which is then presented to Congress as an immutable piece of legislation.

The Waco siege FBI tries to split cult leaders

FROM BEN MACINTYRE IN WACO, TEXAS

WITH talks between David Koresh and the FBI deadlocked and little prospect of an early end to the nine-day siege of the Branch Davidian cult compound, a second, more shadowy figure has emerged behind that of the cult leader. He is Steve Schneider, 42, Mr Koresh's chief "henchman" who may provide the best hope of a conclusion.

Mr Schneider has been at the self-proclaimed prophet's side since the siege began on February 28 after more than 150 armed federal agents attempted to storm the fortified compound. FBI negotiators say he has become "very much an integral part of the negotiating process."

Aware that media reports are avidly studied within the compound, the FBI negotiators, by singling out Mr Schneider, may be trying to divide the Davidian leadership and destabilise the cult. More than 100 people, including at least 28 Britons, are believed still to be inside the compound. According to the FBI, nego-

tiators have spent as much time talking to Mr Schneider as to Mr Koresh. Although the two share a fanatical belief in the Davidian creed, they have contrasting personalities. Mr Koresh, 33, has become increasingly irascible, repeatedly breaking his word and erupting into religious tirades, while Mr Schneider is described as "calm, cool and deliberate".

Bob Ricks, FBI special agent, said: "Mr Schneider also at times has been more aggressive than Mr Koresh. He speaks in terms of 'we don't know what we are dealing with when we deal with Mr Koresh'. He has powers we are not aware of, and for us to even challenge him, we are making a great mistake."

Mr Schneider once failed to set up his own ministry, but in the mid-1980s he met Mr Koresh, then known as Vernon Howell. He went to England and briefly studied religion at Newbold College while recruiting followers for Mr Koresh. While Mr Schneider contin-

ues to profess unconditional loyalty to Mr Koresh, former cult members say he may harbour a grudge against the cult leader, who claims to be able to bring about the end of the world and has refused to leave the Mount Carmel compound until instructed to do so by God.

Mr Schneider's wife Judy, 41, is one of the women claimed by Mr Koresh to be part of his harem, according to local newspaper reports. When Mr Koresh announced in 1989 that the women of cult members were his by virtue of his divine status, the Schneiders objected. Former cult members say that Mr Koresh wooed Mrs Schneider with a combination of sermons and threats until she agreed to become a "wife."

Mr Schneider gave up his wife, he told Bruce Gant, another former cult member "because of what they were going to accomplish in the kingdom" — the religious Utopia Mr Koresh promised his followers.

Tanks move in, page 1

Enquiry set up after new Natal killings

FROM MICHAEL HAMLYN IN JOHANNESBURG AND OUR FOREIGN STAFF

SOUTH Africa announced yesterday an official enquiry into ways of curbing political violence amid the latest fit-for-faithful of bus passengers in the Natal Midlands.

Mr Justice Goldstone, who heads a commission examining the causes of political violence, said that the new enquiry would aim to find ways of curbing the killings in the run-up to South Africa's first non-racial general election, expected within a year.

At least three people died yesterday in the third incident since six children were killed on their way to school last week in the hills around Pietermaritzburg, some of the most gently beautiful countryside in the country. Yesterday's killings happened as a bus carrying African National Congress supporters to a court hearing in Pietermaritzburg was ambushed at Swayimane outside the little town of

Wartburg. Security sources put the toll at three, but the ANC said the number of dead was ten.

Gunmen raked the bus, packed with 80 passengers, with automatic rifle and pistol fire from an embankment outside Swayimane township school. Police, whose activities in the area are reported to have increased since the reprisal killings began, were on the scene soon afterwards and a helicopter joined the hunt for the killers.

Mr Justice Goldstone said the enquiry would aim to pinpoint the concerns and wishes of all sides and to educate people to tolerate the views of others. "which is essential for a free and fair election and one unaccompanied by violence."

The cycle began last week at Table Mountain near by, when the killers' victims included three children of the

local Inkatha Freedom Party chairman. All political sides united in condemning the attack. It was attributed by many, including Roelf Meyer, a senior minister, to political motives. But they are also means to prevent the constitutional talks resuming next month as planned.

The Table Mountain ambush was followed by another in the same area on Friday in which ten people died. Delegates at the multiparty planning conference in Johannesburg passed a motion condemning the killers, and asserting that the best way to ensure peace was to continue the search for a constitutional transition.

Hermus Kriel, the law and order minister, said seven arrests had been made in connection with the first two incidents, adding that practical steps must be taken by political organisations to control their supporters and break the spiral of violence in Natal. "Talk is not enough. Political leaders must take active and visible steps to implement peace because it is now clear that peace will not come by itself," he said.

As the new constitutional talks approach, the Pan Africanist Congress, the militant socialist wing of the black liberation movement, is to call today for the international community to intervene. Benny Alexander, secretary-general of the congress, said yesterday that the international community's role could amount to chairing or convening the meeting, to prevent manipulation by the government, or to acting as a mediator in case of a dispute among delegates. The United Nations, the Organisation of African Unity and the European Community would be preferred.

Former CIA chief decries Iran's nuclear arms spree

BY EVE-ANN PRENTICE, DIPLOMATIC CORRESPONDENT

IRAN has begun a drive to develop nuclear and chemical weapons of mass destruction in a programme that has sinister parallels with President Saddam Hussein's campaign in Iraq, it was said last night.

Iran's reported attempts to buy a wide range of arms equipment and components from Kazakhstan, Hungary, Germany, America, Britain and China was chronicled by BBC television's *Panorama* programme. A government spokesman said: "We accept the right of countries to acquire the means to defend themselves, but Iraq procurement activities are of concern in that they could destabilise the region."

Tehran says its nuclear programme is aimed at producing electricity, but Robert

Gates, head of the CIA under President Bush, told *Panorama*: "What is of concern is Iran's determination to pursue weapons of mass destruction in all categories — biological weapons, chemical weapons, nuclear weapons — and also the missiles to deliver them."

Mr Gates said Iran could acquire a nuclear weapon by the end of the century, adding that, if the Tehran government received "significant [in] the acquisition of fissile material from foreign countries, I would shorten that time."

He went on: "I can tell you that we do have evidence of a chemical weapons programme that includes choking, blister and blood agents in the chemical weapons arena. The estimates of their

stockpile range from a few hundred tonnes up to 2,000 tonnes."

David Kay, former head of the United Nations weapons inspection team in Iraq, said: "Iran in many ways is like Iraq at the early stages of the Iraqi programme. This is a shop-till-you-drop strategy."

A bomb attack was made in Switzerland two weeks ago on a shipment of material suspected of being bound for Iran. The attack was at the firm of Bioengineering, which had supplied Iran with equipment, *Panorama* said. "It's pure speculation that it may be the work of Mossad [the Israeli intelligence service]."

Peter Lehman of the Swiss prosecutor's office told the programme: "The fact is, however, that the work was very professionally carried out."

Canberra's right lays into Labor over multiracial culture

FROM ROBERT COCKBURN IN SYDNEY

WHEN Sydney's city centre dies around midnight, places in the depth of its suburbs are just coming to life.

Burwood Road, Lakemba, is not exactly the Plaza in Athens, but it is alive until dawn with Greek street cafés, bitter coffee, retsina and dancing. Migrants saved Australia from its boring colonialism of the 1950s. In the Greek community club, young and old dance erotic steps to a rembetika band, a 1920s brand of blues still frowned upon for its Turkish influence.

Denigrated by the writer Jan Morris, and used by Peter Carey for his novel *The Tax Inspector*, the western



suburbs are one of the world's great urban sprawls. Known as "Westies", their 1.4 million people make up a cosmopolitan community bigger than some Australian state capitals, and some states. Far from the harbour and beaches, its districts of non-English-speaking migrants — southern Europeans, Asians

and South Americans — are largely left out of the nation's consciousness, and its budgets for education, health and transport.

For all the bigotry of many Anglo-Australians. In the past ten years Australia has started to create the world's most successful multicultural society. Where Europe fragments violently along racial and nationalist lines, and the United States is polarised by ethnic antagonism, Australia is one of the last hopes for making an integrated country from scratch.

"There are no Los Angeles or Brixton riots here, even though we have brought in more people from a greater diversity of races in a shorter period of time than any other nation, bar Israel," Mary

Kalantzis, a migration expert from Sydney's University of Technology, said yesterday. "Forty per cent of Australians are now from non-English-speaking backgrounds, a third were born overseas."

Australia is now seen as a world leader in dealing with multicultural society, and understanding its own migrant cultures has helped Australia break its siege mentality and find badly needed trading partners in the outside world. The image of Australia as a Britain in the sun is years out of date.

How could a country which retained the infamous "white Australia" immigration policy until the 1970s change so dramatically? Ms Kalantzis says the ability to adapt comes partly through historic

accidents. "The difference with Britain and the United States is Australia's weak sense of a national identity. The weakness of Australia's national identity is in fact now a strength," she said.

The recession hit migrants hard and there have been claims of up to 97 per cent unemployment among some ethnic minorities. The multicultural programme is being cut back. Paul Keating's Labor government has just halved the grant for language lessons for new arrivals. An election victory this Saturday for John Hewson, the opposition Liberal leader, could result in a sea change in Australia's attitude to immigration. On the campaign trail, Dr Hewson has started to blame Labor for allowing

Australia to be taken over by what he describes as foreign influence. Yesterday he said immigration levels could not be sustained with unemployment standing above a record one million. The Office of Multicultural Affairs is threatened with being replaced by a body to analyse the effect of immigration on the country.

To Australia's die-hard British traditionalists, the very word multiculturalism is anathema. Speaking at a conference on Australian-British relations in Melbourne last month, the right-wing historian, Professor Geoffrey Blainey, dismissed the whole concept of multiculturalism as no more than a diversification of the nation's restaurant trade.



Hewson campaigning in Sydney yesterday

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German far-right gains throw Social Democrats into disarray



Engholm: Hesse poll damaged credibility

FROM MICHAEL BINYON IN BONN

THE heavy losses sustained by the German Social Democrats in local elections in Hesse on Sunday have thrown the party into a bewildered disarray, raising questions about the leadership of Björn Engholm and threatening to tear the SPD apart.

Party officials admitted that the result, in which the far-right Republican party made big gains at the SPD's expense, was a catastrophe.

The SPD share of the vote in Hesse fell by more than 8 per cent to 36.4 per cent, and the Christian Democrats (CDU), in opposition in Hesse, lost only 2.3 per cent, holding on to 32 per cent. In the big cities, the SPD did even worse, with its vote share falling 20 per

Neo-Nazis increased their vote despite a government campaign against racism. The ruling coalition must show a firm hand if mainstream parties are to hold their ground

cent in Kassel. The Republicans' gains are the more worrying as they came despite a huge government campaign against racism. Jean-Marie Le Pen, the French National Front leader, congratulated the Republicans yesterday, saying the two political movements were important in guaranteeing internal peace.

Building on last year's successes, the German right has broken through attempts to isolate it and is represented in three state governments.

In an election dominated by

national issues, the SPD was unable to capitalise on the widespread dissatisfaction with the bickering in Bonn, the CDU-led coalition's failure so far to halt the influx of asylum-seekers, the threatened tax increases and cuts in social security and the uproar over proposed tolls on the autobahns.

Karlheinz Blessing, the SPD manager, spoke of "bitter election results". Local SPD officials blamed the national party, saying it was not behaving like an opposition,

no longer protected the interests of the working class and had not fought hard enough to stop cuts in living standards.

The biggest casualty so far has been the credibility of Herr Engholm, the SPD prime minister of Schleswig-Holstein who is the party's challenger to fight Helmut Kohl for the chancellorship next year. SPD officials are openly suggesting that Herr Engholm, who has always suffered from a "nice but weak" image, does not have the drive or appeal to lead his party to victory next year and should be replaced as candidate for chancellor.

Although the CDU was trying to find comfort in a better than expected showing in Hesse, the rise of the Republicans, who obtained almost 10 per cent of the vote in Frankfurt, is a sharp warning to Herr Kohl that unless he can show the smacks of firm government in Bonn, the appeal of neo-Nazi and far-right views will grow.

The Hesse results have also fanned a smouldering dispute within the Bonn coalition between the Free Democrats (FDP) and the CDU, focusing on Herr Kohl's woolly leadership. Count Otto Lambsdorff, the FDP leader, criticised shortcomings in government style, talked about a "muddle" and drew comparisons with 1966 when Ludwig Erhard was ousted by party colleagues dissatisfied with his performance.

A furious Herr Kohl hit back swiftly, accusing Count Lambsdorff of trying to steal votes from the CDU until the

last moment and pouring scorn on last year's confusion in the FDP when they tried to pick a successor to Hans-Dietrich Genscher, the former foreign minister. The chancellor also sharpened his attacks on the opposition, accusing it of dodging the big issues at national level.

Despite their losses, the SPD will continue to govern Hesse in coalition with the Greens, who saw a slight increase in their vote, to 11 per cent. The established parties warned voters against reading too much into these local results, especially as turnout was down to about 71 per cent. But all know that Hesse, the only election at any level this year, may set the tone for a string of polls next year.

In any case, voters have given expression to the nat-

ional frustration with the drift in Bonn. In the sharpened political confrontation it may now be even more difficult to reach all-party agreement on the urgent questions of German participation in peace-keeping operations and the austerity package to find money for rebuilding eastern Germany.

□ Berlin: Seven arsonists aged 17 to 21 were sentenced to up to three years' youth detention for setting fire to a home for asylum-seekers last August. They were cleared of charges of attempted murder. In Karlsruhe, two men were charged with murder, attempted murder and arson in the firebombing of two Turkish homes in Mölln last November in which a Turkish woman and two girls died. (Reuters)

Yeltsin urges law to settle dispute on power-sharing

FROM ANNE McELVOY IN MOSCOW

PRESIDENT Yeltsin called yesterday for compromise with his hardline opponents, saying that a "law on power" was necessary to determine the division of authority between the legislature and the executive.

Mr Yeltsin, who faces the sternest test of his presidency at the emergency session of the Congress of People's Deputies that begins tomorrow, said that Russia needed absolute clarity about power relations in the state to end instability in the country and that he would call on the legislature to approve the document at the beginning of the session.

"It is very clear on who should do what. There will be no more argument," President Yeltsin said in a television interview. He did not specify what the terms of the proposal would be nor how much jurisdiction it would transfer from

the presidency to the state legislature.

The suggestion is unlikely to impress conservative deputies who are seeking to wrest power from the presidency and is probably intended by the president as a tactic to show that he is prepared to be flexible. In reality, he places more faith in the idea of a referendum next month and his advisers have drawn up a cleverly designed list of four questions that can all be answered with a "Yes", lessening the risk of confusion.

Most notable is the direct "Do you want a presidential republic?" rather than an attempt to frame an "anti-legislative" question that would have exposed him to accusations of autocracy, and the proposal of a new constitution to be adopted by a constitutional assembly rather than the congress.

There is also a vote on forming a two-chamber legislature that would enhance the role of parliament but render the congress obsolete, thus freeing Mr Yeltsin from this infuriating regular challenge to his authority. A fourth question, on the right to own land, is intended to lure to the polls Russians who are indifferent to the other constitutional matters.

Congress of course will strongly resist this formula — at which point Mr Yeltsin can reject the alternative of the "law on power" and that if it will accept neither option, he is entitled to go over its head to the people. But with political tension in Moscow running high, the Russian leader is careful to temper his ultimat-

ums with appeals for unity and has emphasised that he was not seeking confrontation with congress.

President Yeltsin's mollifying tone is in sharp contrast to the run-up to the December session of congress at which he engaged in an ill-timed attempt to curtail the legislature's powers and ended by losing several of his own powers as well as Yegor Gaidar, his radical acting prime minister. This time President Yeltsin appears to have a more realistic view of his own negotiating position, but that alone will not protect him from attack by his deputies under the orchestration of the speaker, Ruslan Khasbulatov, his main rival.

Yesterday, Alexander Solzhenitsyn, who lives in seclusion in Vermont, America, supported Mr Yeltsin by appealing for a strong presidency. In a letter to the Russian ambassador in Washington read out on television, the writer, who was exiled by the Soviet authorities in 1974, said: "The Russian Federation with its sheer size and diversity cannot exist without a strong presidential authority, no weaker than that in the United States of America."

However, Solzhenitsyn, a Russian nationalist, urged Mr Yeltsin not to endanger the unity of the country with a referendum. "When people are cast into the abyss of poverty it is surely not the time to put to them vague questions on articles of the constitution," he said. The writer added that developments in Russia "are tearing my soul apart" and repeated his intention of returning to his homeland.



Tin-pot protest: communist women waving empty saucepans and a portrait of Lenin in Red Square yesterday to demonstrate against falling living standards

Russia's 'new man' remains a dream

BY ANNE McELVOY

When all the men in the office failed to turn up for work yesterday, leaving us to do it all ourselves, there was no escaping that it was International Women's Day. To make up for the loss of two male hands on deck there were three willing replacements and a greeting card accusing us of being "the most charming and alluring colleagues". We appreciated that as we emptied the wastebins.

March 8, one of the remnants of the Soviet Union's professed ideology to liberate the oppressed, is theoretically the day when Russian men let their wives have a lie in, bring them a gift and cook meals. Like all the finer aims of international communism, it does not work quite like that.

Enquire of a harassed Russian housewife how her spouse marks the festival and she is likely to reply that, looking hungry and glancing meaningfully towards the kitchen in their tiny flat or, even worse, the bedroom, he mainly gets under her feet as she uses her day off to catch up with her housework.

The "new man" was supposed to arrive in the wake of the October Revolution. The more optimistic female Bolsheviks, like Nadezhda Krupskaya, Lenin's wife, prophesied that the Soviet Union would be the first society in which women would enjoy true liberation. The Kremlin leaders, however, were uninspiring role models. Nadezhda Aliyeva, Stalin's wife, complained that he was a brute at home as well as at work, and Leonid Brezhnev's Victoria had to put up with his constant philandering and obsessive mean streak — he even made her save dead batteries, convinced that they would one day come in useful for something.

Seventy-five years after the revolution, new man is still

conspicuous by his absence, and most ordinary Russian wives have to put up with the old variety who gets drunk, has no idea how to work the stove and thinks that three carnations or a box of cheap chocolates will make up for it.

Die-hard women communists marked yesterday by rattling empty pots and pans on Red Square to protest against poverty. In one of the swiftest Western hotels, meanwhile, Slava Zaitsev, Russia's most famous designer, was showing off his new collection to the wives of politicians who had paid £80 just to get in.

Despite the end of the communist regime and the flowering of capitalism, the old national holidays remain untouched. To deny one's staff a day off on Women's Day or the Day of the Revolution would rank as an act of extraordinary brutality and downright unattractiveness if you happen to be that rare thing in Moscow, a woman boss. This has not, however, hindered Russians from taking to the old orthodox holidays of Christmas and Easter with gusto; the number of days unworked is rising.

But a small number of men do try to relieve the drudgery on March 8 — like Volodya, the sweet-natured spouse of my housekeeper, who insisted on cooking a "banquet" for her and some of her female friends on Sunday. She telephoned yesterday, "We've got food poisoning, same as last time round," she groaned. "Thank God that's over for another year."

And among Russia's womanhood, the old gibe is still related with relish. A husband says to his wife, "Darling, it's March 8, what is your greatest desire?" Her eyes light up. "Boris, make me really happy — promise not to sleep with me tonight."

Mitterrand flies to US to prove he is still boss

FROM CHARLES BRENNER IN PARIS

PRESIDENT Mitterrand is flying to Washington today to give a face-to-face session with the American president. His mission is twofold: to soothe transatlantic tensions and to prove to France that he will remain the boss after the probable election of a conservative opposition government later this month.

Mitterrand is confident that a face-to-face session with the American president will help defuse the simmering war over farm exports and aircraft subsidies that threaten to provoke a trade war. The two men will also discuss ways of helping President Yeltsin end the war in former Yugoslavia. Mitterrand also wants Mr Clinton to support an emergency summit of the 17 industrialised countries before their annual meeting in Tokyo in July.

Domestically, there are no mysteries about the timing of the president's day-trip, to be followed by another to meet Mr Yeltsin in Moscow next week with the first-round vote of the parliamentary election 11 days away, the two outings serve as an opening act in the battle of the next cohabitation. The manoeuvring over power-sharing with 4 Mitterrand inside the uneasy Gaullist-Centrist opposition has grown so intense that some commentators suggest it could bring down both the Gaullist and the neo-Gaullist and Franco-German alliance.

Mitterrand's aim today is to show that he has no intention of yielding to the opposition's demands that he relinquish control of foreign and defence policy if they win the expected landslide victory in the ambiguous institution of 1958 decrees its presidential role, but it is assumed by Charles de Gaulle and taken up by his successors.

"France has always spoken with one voice and had a single chief in charge of foreign policy, and it is clear that the president will sit in the front chair," Jean Mueschler, a presidential spokesman, said on Sunday. He was alluding to the humiliation at Mitterrand inflicted by Jacques Chirac, the Gaullist prime minister of the last cohabitation in 1986-8, when he forced him to sit behind

Owen and Hurd differ over risks of troop involvement

FROM GEORGE BROCK IN BRUSSELS

BRITAIN will be very cautious about being dragged into sending troops to enforce peace plans for Bosnia-Herzegovina that are rejected by the warring parties, Douglas Hurd, the foreign secretary, said yesterday.

Mr Hurd was speaking after European Community foreign ministers listened to Lord Owen report on peace talks between Bosnia's three ethnic factions on the Owen-Vance plan for the division of the state.

The ministers agreed that the United Nations might need formally to endorse the plan and increase sanctions on Serbia to secure Bosnian Serb agreement to the new map of Bosnia drawn up by Lord Owen and Cyrus Vance.

Lord Owen predicted that Alija Izetbegovic, the Bosnian president, would soon sign each element of the plan, but he doubted whether Radovan Karadzic, the Bosnian Serb leader, would follow suit.

Mr Hurd and Lord Owen used markedly different language, however, on the eventual need for troops to implement any agreement. Mr Hurd was keen to emphasise that a "very cautious" Britain would not be dragged into enforcing a UN-backed deal and was only discussing the possible deployment of troops to monitor a "durable" ceasefire agreed by armies that had decided to call a halt to their conflict. "No government in the Western world is talking of fighting

your way to a settlement," he said.

Lord Owen said there was no more room for changes to the map offered to the factions. He agreed that new sanctions to isolate Serbia completely should be held ready, but added that force might be necessary. "There may be some resistance even if all three parties sign up," he said. "We may have to deal with recalcitrant warlords."

Now our work can continue as before," Judge Gerardo D'Ambrosio said. On Sunday night, Signor Scalfaro told Giuliano Amato, the prime minister, to reconsider the decree that would have ended prison sentences for those convicted of financing party coffers through bribes. The president evidently was concerned by protests that the decree amounted to a whitewash of the corrupt. The cabinet is to meet today to recast the law as a normal bill requiring approval by parliament instead of going into immediate effect as a decree.

Many commentators saw the president's refusal to sign the decree as a blessing in disguise for the government. Parliament would have to accept or reject untouched such a decree, and the government would risk defeat, while a normal bill can be amended by the opposition.

Signor Ripa di Meana confirmed yesterday his weekend resignation from the cabinet in protest at what he called the "dangerous" package of laws prepared by the cabinet and designed to contain the scandal. "The government tried something it should not have tried," he said in a letter to Signor Amato. "Its days are now numbered."

Corruption 'whitewash' rejected

FROM JOHN PHILLIPS IN ROME

MAGISTRATES heading Italy's corruption enquiry expressed satisfaction yesterday after President Scalfaro declined to sign a government decree decriminalising the illicit financing of political parties and Carlo Ripa di Meana confirmed his resignation as environment minister in protest at such proposals.

Now our work can continue as before," Judge Gerardo D'Ambrosio said. On Sunday night, Signor Scalfaro told Giuliano Amato, the prime minister, to reconsider the decree that would have ended prison sentences for those convicted of financing party coffers through bribes. The president evidently was concerned by protests that the decree amounted to a whitewash of the corrupt. The cabinet is to meet today to recast the law as a normal bill requiring approval by parliament instead of going into immediate effect as a decree.

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Angry UN chief threatens force

FROM KATE MUIR IN NEW YORK

THE United Nations toughened its stand on Bosnia yesterday and threatened to send in troops if a peace agreement is not reached quickly. Boutros Boutros Ghali, the secretary-general, reaffirmed on American television the remarks he made about military intervention in an interview with *The Times* last week.

Talking to ABC television's David Brinkley, Dr Boutros Ghali seemed exasperated with the deadlock in the talks — the Muslims, Serbs and Croats have taken a break to discuss the proposals — and said that if a settlement was not achieved, "there is only

one solution, which is enforcement. And again, the members must be ready to send troops." The White House yesterday rejected the suggestion that the UN must be prepared to send in troops if the talks fail.

When the three sides resume peace talks in New York this week, the temperature and the stakes will be higher. Dr Boutros Ghali said: "I am not very optimistic of a breakthrough. It could be two weeks."

As heavy Serb shelling continued to be reported in Srebrenica in eastern Bosnia-Herzegovina, Dr Boutros Ghali made clear that with-

out a settlement, the number of UN peacekeeping troops would be increased and they would use force against Serb soldiers who refused to withdraw from territory no longer theirs under the peace plan.

That threat means that UN troops would no longer just be allowed to use force in self-defence, but in "coercive enforcement", possibly against factions that persist in ignoring any pact that may emerge. Only the Croats have signed the entire three-part peace plan put together by Lord Owen and Cyrus Vance, the mediators. The Serbs and Muslims are refusing to approve the map.

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Will it finally filter through?

Ann Kent looks at why smokers find it so hard to give up and at whether No-Smoking day will make it any easier

Tomorrow is No-Smoking day — and any feeling of déjà vu you experience over this news is fully justified: it is the tenth.

However, this year's No-Smoking day will be different from its predecessors. Ever since the first tobacco taxes were levied in the early 17th century, there has always been a pot of money to be made from smokers and their habit. Now, for the first time, there is a great deal of money to be made from persuading smokers to give up.

Three pharmaceutical companies are at present fighting for the market in nicotine skin patches — a form of therapy designed to help to reduce the nicotine craving experienced by all heavy smokers when they stop.

These, along with nicotine gum, which works on similar principles, can all be purchased from local chemists without the need for a prescription. The price is roughly equivalent to smoking 20 cigarettes a day.

The other change, which is not coincidental, is that anti-smoking campaigners are now willing to describe smoking as an addiction. In the past, the term "addiction" has been discouraged, and smokers have been made to feel that with a little willpower they could kick their habit. Now that there is a treatment costing up to £182 for a three-month course, it is acceptable to admit the true addictive nature of smoking.

The addiction is not simply chemical. Although health educators may frown at mention of this, many smokers simply say they derive considerable pleasure from smoking and are not prepared to sacrifice it by giving up.

No-Smoking day is funded by 14 public bodies including the Health Education Authority, the leading cancer charities and the British Heart Foundation.

It has a budget of £500,000 — mere pennies compared with the £100 million spent on tobacco promotion. However, thanks to the emergence of the patches, the campaign's efforts to persuade smokers to give up are being heavily reinforced by the separate activities of the patch manufacturers. The potential profits are enormous. Fourteen million people smoke in Britain of whom 10.5 million have already tried and failed to give up.

One patch manufacturer is supporting a month long Pharmacists Against Smoking campaign involving 10,000 community pharmacies. Pharmacists will provide free counselling and encouragement for smokers who are trying to give up, and will not be restricted to recommending the product in question.

"No-Smoking day is nicely spaced after the new year, when so many people have tried and failed to give up smoking," says Jeremy Clithrow, a community pharmacist in Liverpool and chairman of the Pharmacists Against Smoking campaign. Mr Clithrow is happy to spend 15 minutes or so (more than twice as long as an average consultation with a family doctor) counselling customers who are finding it hard to give up.

But if smoking is an addiction as the experts say, can a No-Smoking day be anything but a well intentioned gesture? Will it really help to

bring down national smoking rates from the present 30 per cent of the adult population to the 20 per cent government target for the year 2000?

"I think it is a bit of a gimmick, like red nose day," says Nick Band, managing director of a public relations consultancy, and a 20-a-day smoker. "You don't love your mother more because it is Mothering Sunday, and giving up smoking is very hard."

Mr Band has been smoking for 20 years, with two breaks when he succeeded in quitting. Three people in his six-person office are smokers, and they all want to give up. Despite his reservations about the value of such initiatives, the building will be smoke-free just for tomorrow. "I expect the three smokers will be outside in the street smoking. That's what the people in the smoke-free office across the road do."

Dr Godfrey Fowler, a reader in general practice at Oxford University, says: "Smoking rates have been declining at half or one per cent per year since the seventies, but that decline is flattening out now. The reason is that we have a different type of smoker, someone who is more entrenched, more addicted."

"It would be very surprising if we achieve the 20 per cent target because we know that the uptake of smoking among schoolchildren is hardly declining at all, despite vigorous attempts at health education. It is clear that we don't have a clue about how to handle the problem of preventing young people from starting to smoke."

"I think that nicotine replacement therapy is useful because it helps people cope with the strong nicotine withdrawal effects. But there is a danger that people will see it as a panacea, and that the pharmaceutical industry will promote it."

Dr Peter Hajek, a senior psychology lecturer with the London Hospital Medical College, has studied the reasons some smokers appear to find it so much harder than do others to quit.

Smokers are more likely than non-smokers to suffer depression and there is a noticeable trend towards greater smoking prevalence among people who live under exceptional pressure such as single mothers and unemployed people.

This trend is something Dr Hajek feels could be put to use. He says that many adolescents still regard smoking positively, as an adult and rebellious activity. "Linking the inability to give up smoking with emotional problems could help to change its image for young people," he says.

Only a tiny sub group of smokers appear to be capable of enjoying cigarettes without becoming dependent on them. They smoke five, a day or less. Many people claim to belong to this elite, but nearly all of them are fooling themselves, Dr Hajek says.

"When we tried to find these smokers, we were able to identify only 60 out of several thousand volunteers. When we compared them with regular smokers they turned out to be very well balanced individuals leading secure and stable lives."

Smokers who persist are not

'Smokers who persist are not bloody minded, even if they believe themselves to be. They are addicted'



Seeing the light attitudes to smoking have reversed since Humphrey Bogart made *A Lonely Place in the World* in 1950

bloody minded, even if they believe themselves to be. They are addicted. Nevertheless, if they are well motivated, and they really want to, they can quit. Nicotine replacements are the most useful approach to be developed so far, but joining a no-smoking group also seems to be more effective than trying to give up on your own."

Dr Allen Norris, a clinical psychologist in private practice with a special interest in smoking cessation, believes that smoking will continue to decline, but slowly.

"I will believe 20 per cent in the year 2000 when I see it. It would be useful to make cigarettes so expensive

that people could not afford them. But James I put the tax too high at one stage, and quickly lowered it when people stopped buying — and governments have been careful to maximise their income without damaging the trade ever since."

However, he says the greatest blow against smoking so far has been struck by a woman who used to work in the school meals section of Stockport Metropolitan Council. In an out of court settlement in January, Veronica Bland won £15,000 compensation after developing chronic bronchitis following 11 years spent inhaling her workmates' cigarette

smoke. "That settlement has reminded employers that they have a responsibility to provide a safe environment, and it will speed up the move towards smoke-free offices," Dr Norris says.

Smokers who need support in their decision to give up can seek the advice of trained counsellors working for the charity, Quit, by ringing its special helpline. Forty counsellors will be staffing the phones from 9.30am until 10pm, providing advice, literature and the addresses of any local support groups.

● The Quitline phone number is 071-487 3000

Lines lead to deep-sea tablets

The pill that gets rid of wrinkles seems to work. But some scientists will not swallow the existing evidence

Can science hold back the years? Skin cream sells on the belief that it can, and increasingly sophisticated products have emerged in recent years based on scientific principles.

While most users may not be qualified to judge the scientific basis of the products, they can still form their own view of it. They can always try the product, and see if it works for them. The dilemma is harder, however, if the product is not a cream but a pill, which works by nourishing the skin from within, thickening it and smoothing away the evidence of the years.

The product is Imedeen, made from "deep-sea protein", including marine plants, shrimp shells, and extracts of the cartilage of fish caught off the coast of Japan. Freeze-dried, the material is flown to Sweden and turned into tablets.

Imedeen is marketed in 40 countries around the world and is now causing a bit of a stir in the world of "cosmeceuticals" — as crosses between drugs and cosmetics are called. Last week a Dutch dermatologist, Dr Fons Heule, announced and then withdrew results that show, he says, real effects from treatment by Imedeen.

He studied 46 women aged between 45 and 64, giving half of them two tablets a day of Imedeen and the other half a placebo. Three months of treatment had significantly reduced the wrinkles from the faces of the women taking Imedeen, and measurements showed increases in the elasticity and thickness of the skin. Dr Heule released the results, to the joy of the manufacturers, Scan-Vita International.

The head of his department at the Academic Hospital in Rotterdam, Theo van Joost, was less ecstatic. The results should not have been announced before they had been accepted for publication in a legitimate scientific journal, he said. "Until the paper has been through the scientific peer review process, there is not enough evidence to claim that Imedeen works, nor that it doesn't," a spokesman for the department said. The work is to be submitted to the highly respected *Journal of Dermatology*.

Dr Heule is not the first to study Imedeen. Similar results have been reported from a study carried out in Helsinki.

and a British surgeon, Brian Newman, has been using it on his patients for the past 18 months. He says that he considers it "a very interesting product". Though admitting that it is difficult to convince dermatologists, he says that the effects have been "really quite dramatic". He too has recorded increases in skin thickness and elasticity, as well as improvements in the healing of wounds after surgery, leg ulcers and pressure sores.

Other dermatologists have so far had difficulty in accepting these findings. Dr Ian White, for example, a consultant dermatologist at St Thomas' Hospital in London, was sceptical because he could not see an explanation for the claimed effects of Imedeen.

A paper published in 1991 claimed that after 90 days treatment, all signs of sun damage to the skin had disappeared, and brittleness of hair and nails had been restored to normal. By then, Imedeen was already selling like hot cakes in Scandinavia. Later the same year, the product was launched in Britain by Lesley Kenyon, former health and beauty editor of *Harpers & Queen*, at £24.95 for a packet of 60.

Mr Newman does not claim to know how the product works, but says he has seen the effects. He believes that Imedeen acts as a "skin nutrient", replenishing the nourishment the skin needs, and does not find it impossible to believe that fishy by-products could have these effects. After all, he points out, cod liver oil is good for the joints, and oily fish have been demonstrated to reduce the risk of heart attacks. Having prescribed oil of evening primrose 14 years ago when it was still regarded as a fringe remedy, he has been proved right once.

For the moment, the bulk of dermatologists remain to be convinced of the virtues of Imedeen. But if Dr Heule's paper is accepted by the *Journal of Dermatology*, they will no longer have any excuse for doubt. Piet Bouwman, the general manager of Scan Vita's Dutch subsidiary, is already sure that it will stand up to scrutiny. "I think it is lunacy to deny results obtained by sound research solely because they have not yet been accepted by a scientific journal," he told *New Scientist*.

NIGEL HAWKES



Suitable case for treatment? David Bowie in *The Hunger*

Cot deaths not beaten yet

THE news that there were no cot deaths in two health regions in the last 12 months was greeted with mixed feelings last week. Although the dramatic reduction in Ayr and Scarborough was welcomed — after a national campaign to encourage parents to put babies to sleep on their backs — the Foundation for the Study of Sudden Infant Deaths (FSID) said many parents were distressed by the impression given that cot death was preventable. Joyce Epstein, secretary general of the foundation said: "Care must be taken in interpreting local statistics. We have had many calls from distressed parents who feel there must be something wrong with them if cot deaths can be eliminated so easily but, unfortunately, that is not the case. Back sleep position does not guarantee prevention."

□ Cot death is the sudden and unexpected death of a baby for no obvious reason. This includes babies who die of sudden infant death syndrome, a term used when no adequate cause of death is found at post mortem examination. Eighty per cent of cot deaths happen between one and six months of age; only one out of every seven occurs after six months, with a peak at two to three months. Winter is the worst time for cot deaths.

□ In 1991 1,134 babies under one year died of cot death in the UK, a rate of 1.43 per 1,000 live births. This means that three babies on average die suddenly every

day. Even though the rate is dropping, it remains the most common kind of death in the age group one week to one year. The number of cot deaths is much greater than the number of children under 15 killed on the roads or who develop leukaemia or any other form of cancer. Boys, premature babies and low birth-weight babies are more likely to be affected and the risk is slightly increased the more children parents have.

Subsequent babies of parents who have already lost one baby through a cot death are slightly more at risk but, out of every 500 born, more than 495 will survive. The foundation has set up a programme, Care of the Next Infant (CONI) for health authorities to offer advice, support and practical help.

□ The foundation, set up in 1971 to fund research into the causes and prevention of cot deaths, gives personal support to bereaved families and acts as a centre of information for the exchange of knowledge within the UK and abroad. It has provided almost £6 million to over 150 separate research projects which, because the cause of cot death is not known, cover a whole range of possibilities from iron deficiency to the effects of sleep deprivation or respiration. There is also a nationwide



Time for bed: sleeping position is not the only factor

network of 133 parent groups. It also runs a 24-hour help line.

□ The idea that a baby's sleeping position might be linked with cot death was first examined in the UK in 1965 but the association was not thought to be statistically significant at the time. In the majority of countries the tradi-

tional sleeping position for babies is on the back, supine, and until the 1960s few babies in the UK slept on their fronts, prone. Then it was reported that pre-term babies with respiratory distress in special care units who were placed prone improved. They were able to breathe better and it reduced vomiting in babies with gastro-oesophageal reflux

The practice was then extended to healthy full-term babies. In western countries it is often thought sleeping healthy babies on the back puts an infant at greater risk of death by aspiration and choking but there is little evidence to substantiate this. In communities where the back position is traditionally used, and post mortem diagnostic criteria are reliable, deaths from aspiration seldom occur. In Ayr from 1984 to 1991, during which there were over 700 unexplained infant deaths, the only babies who died from choking, outside the newborn period, occurred in three neurologically impaired infants, all of whom were prone at the time.

As babies get older their sleeping position cannot be controlled because they move around, but it is thought important to start them off on their backs near the foot of the cot so that bedclothes cover no further than the shoulders.

□ Several reports suggest that if overheating arising from high room temperature or from wrapping the baby with too many clothes were eliminated, cot death would be reduced by 27 per cent. A room temperature of 65°F is ideal. Parents are advised to have a wall thermometer, not to let babies sleep near a radiator or have their heads covered while they are sleep-

ing because a bonnet may prevent them from losing excess heat. Duvets, baby nests and sheepskins are such good insulators they may overheat.

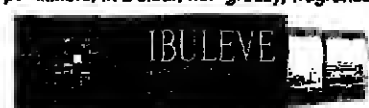
□ Evidence from a number of studies worldwide demonstrates that maternal smoking during pregnancy considerably increases the risk of SIDS and that for every ten cigarettes smoked by the mother per day, the risk of the baby dying increased three times. As many as 365 cot deaths per year in England and Wales would be avoided if maternal smoking could be eliminated. The results of a study in America suggest that cot and respiratory deaths might be related to the effect of passive exposure of the baby to smoke after birth. Another study in Tasmania shows that if both parents are smokers then the risk to their baby is much higher.

□ The theory that deficiencies in the coating of lung surfactant, a wetting agent which can prevent lung collapse in premature babies, is a direct cause of SIDS has been disproved. Recent research has shown that very few cot deaths are due to inherited metabolic disorders, such as an enzyme deficiency. The health department and FSID have researched the possibility that cot death is caused by toxic gases from certain kinds of mattresses; both reported there was no evidence to support the claim.

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Lynne Truss



■ The trouble with food scares is that only rarely are they called off and the All Clear sounded

I swore off caviare on Sunday night. The cats took it badly, but I stood firm, and told them they would thank me in the end. Having watched an hour-long Channel 4 documentary about the polluted River Volga and its toxic sturgeon, I sadly added caviare to my mental list of proscribed foods, finding surprisingly little comfort in the thought that I never eat it anyway. According to a current crack-em-up joke among the Volga fishermen (who admittedly rejoice in a very peculiar sense of humour), even the Kremlin bureaucrats no longer dare to eat the stuff, so I was not over-reacting. Industrial pollutants and agricultural pesticides are poisoning the river to a point where the giant beluga no longer swims gaily in its waters but is reduced to a big stuffed ugly fish in a museum, dusted weekly by a woman in a scarf.

Given that caviare is not a staple food (and that you have to eat quite a lot of it to feel any ill-effects), the programme wasn't exactly alarmist, and I wasn't exactly alarmed. But my heart sank as I recognised the beginnings of a new *idée fixe*. The trouble with food scares is that only rarely are they called off: a warning siren wails out the danger, but there is no equivalent to the All Clear. This means that susceptible obedient people with no minds of their own (like me) still pick up little trays of Welsh lamb in supermarkets and then put them back down again, just wondering in a vague, confused kind of way whether the effect of Chernobyl will wear off in their lifetimes. It is possible to get stuck.

Personally I don't buy French apples (why, I don't remember; I don't buy cat-food marked "beef" (mad cat disease); and I am wary of eggs (Mrs Currie). Making meals is therefore quite difficult, as you can imagine. In fact, if there is ever a scare involving big economy sacks of Maltresers, quite frankly I am done for.

This is mainly a personality failing, obviously. If nobody says stop, I carry on. I reckon I am one of the very few people alive today who understand why a Japanese soldier would still be fighting the second world war. A couple of years ago I was obliged to forgo my visits to a very pleasant supervised gym just because every time I was given a repetitive exercise ("Breathe out and pull, breathe in, relax out and pull, and in, relax") I found I would obediently repeat it until the tutor checked up on me, regardless of the interval. "Done ten of those yet?" he would enquire, in a kindly tone. "Fifty-six," I would blurt out, red-faced. I finally gave it up when I realised that he might one day set me going on an exercise and then pop out to post a letter and be run down by a furniture van. In which case I would be left in row an imaginary skiff for the rest of my natural life.

The idea about food scares, presumably, is that you use your own judgment, but without information I don't understand how it's done. A fortnight after Chernobyl, do you just decide not to dwell on the nasty idea that contamination lasts thousands of years (or whatever), and choose to make a traditional shepherd's pie — even if it looks like it without help and outlines the candlelight on the dining table? "Life's too short," you reason, (quite aptly, in the circumstances). But isn't salmonella still rife in the chicken coops, aren't cattle still waiting in the pens? Good grief, they are probably doing a full-scale mazarika by now.

On the caviare front there is less to worry about, obviously. "I hope there's no caviare in this," is not something the average attentive cat-owner thinks to herself when doing out the Whiskas. On the other hand, the chances of us hearing that the Volga has been cleaned up (even if it happens) are remarkably slim, so the old Japanese soldier syndrome takes over once again, I'm afraid. "Don't eat the prawns," Julie Walters once hissed alarmingly in a Victoria Wood sketch. "They tread water at sewage outlets with their mouths open." Likewise, from now on I shall raise a skinny warning hand at people in the act of eating caviare canapés, and remind them of the latest unfunny surgeon jokes from the fisherfolk of the Volga. Either that, of course, or only respond to invitations that promise "6pm-9pm. Cocktails and Maltresers".



VIOLENCE ON TELEVISION

What made Scott brave

In a century full of tragedy, why do we still remember so vividly an act of heroism of more than 80 years ago?

A tiny paragraph, no more than 15 lines long, catches my eye: there has been a discovery at the hut in which Scott of the Antarctic and his companions died. The hut has been kept as something like a museum, and when, recently, an inventory was taken, there, supplies of cocaine and opium were found. (These, of course, were for medicinal use, remember that we are in 1912. There have been one or two letters in *The Times* discussing the matter, but I am intent upon the greater mystery.)

And a great mystery it is, enough to make me stop and wonder. Why does the story of Scott of the Antarctic go on reverberating through the years — some 80 of them — without fading under the light of modern times? It was, to be sure, a noble endeavour and a painful fate, but there have been countless endeavours and fates in this ragged, unjust world. When Scott and his companions died, the first world war was only two years away; there were pitiful fates galore in that encounter, and if Scott's team had lived they would certainly have fought in the war, and perhaps died in it, but in either case bravely. Would we, though, have made such icons of that heroic band?

For icons they are. Getting on for 10 years ago there was a television series, based on a book, which sought to debunk Scott, and proving to the author's satisfaction, though not history's, that the hero was in truth a frightful fraud: if I remember rightly he was supposed to have virtually driven Captain Oates out of the hut, thus destroying the unforgettable picture of the hero's self-sacrifice, and those equally unforgettable words: "I am just going outside, and I may be some time."

The debunkers got short shrift; I even have a faint recollection that I joined in the uproar. If I had been strolling by when the noise was at its height I should certainly have broken a lance for Scott, or at the least cheered on the defenders, because the script-writer for the TV series was Trevor Griffiths, as usual burbling and glancing and muttering, and his co-edited in the kind of suffocating pseudo-ideology he favoured, and no doubt favours still. Well, try some:

... revealed what British Imperial mythology had suppressed, namely what the Norwegians did and how they achieved their triumph... given the lie to the official version, the heroic version of the case against Scott is devastating, but... I don't think you see him as a blackguard [why shucks, how

kind BL]... One sees him as a victim of the values and structures of that age... the series looks at the characteristics of the age, at the class differences and at nationalism... At a time when news management has reached such appalling levels as in the reporting of the Falklands, the Korean Airlines disaster and the invasion of Grenada... it seems important to look at how a myth of glorious and heroic failure was constructed in that way...

I suppose it's a mercy that Mr Griffiths didn't know about the cocaine and opium the expedition carried when he was writing the script: he might have portrayed Scott and his team as a band of drug-crazed moon-heads, permanently smashed out of their minds.

Anyway, Scott remains, and always will, can the same be said of the television series, the book which started the trouble (I confess that I cannot even recall the name of the author, let alone the title of it) and even Trevor Griffiths?

The irony embedded in the tragedy is almost impossible to bear; when the team could go no farther, they were only 11 miles from provisions, help and safety, yet their illness, their months of suffering, their weakness and the weather made it impossible for them to trudge those miles. That weakness, incidentally, must have played a double part: true, it prevented them trudging on, but it surely must also have helped to break their spirit (they would have been inhuman otherwise) when, just as they reached their goal and renewed their resolve, they saw the tracks left by Amundsen, and realised that he had got there before them.

Why doesn't the human race keep still and stay where it is? (That it can reject a plea to shut up as well is understandable, though only just.) The question, for all its apparent simplicity, is one of the most extraordinary puzzles in the universe, and the Scott expedition is one of the most vivid examples of our inability to

answer it. For what were they doing? They were experiencing physical conditions, for months on end, which were no better than those experienced the most fiendish and relentless torture by implacable enemies. And why were they willing to suffer so? To be the first human beings (the penguins had been there for centuries) to get to the South Pole.

There was no buried treasure for them to seek; there was no fortune awaiting them on their return; there was no mysterious ice-cream gurt from whom they hoped to acquire wisdom. They did it for exactly the same reason that Mallory and Irvine (who also perished in their attempt) put forward when asked why they wanted to climb Everest: "because it's there".

Shakespeare's words are appallingly apt: "Truly to speak, and with no addition, to wear a crown, should it be sold in ice."

Moreover, there is a catch in it even for the successful explorers of the seas, the deserts and the mountains, and a very cruel catch it is: a few instances will make the point.

When Everest was finally conquered by Edmund Hillary and Sherpa Tenzing there were, rightly, tremendous accolades for them. As I recall, the news came in the middle of the Coronation, and for a time looked as though it would put the royal pageant in the shade. Now how many successful attempts on Everest have there been in the 40 years since the British flag was planted on the peak? I have no idea, but that is precisely the point: except for the few whose work includes following these matters, the names and nations of those who followed in the painfully planned footsteps of the first conquerors are utterly forgotten. Yet it is not at all likely that Everest has become easier to climb; the

truth is that once something unique has been done we lose all interest in those who attempt to repeat it. Neil Armstrong was the first man to step upon the moon, and Buzz Aldrin followed him down the ladder: there were more landings later, but do you remember any of the names of those who followed?

It works in much less rarefied air. When Roger Bannister ran a mile in 3 minutes and 59.4 seconds he was, again, rightly, applauded, fitted and made much of; it is said that he was offered a knighthood on the spot but declined, feeling that his record run was not enough to merit such an honour. (He took it some 20 years' later, most rightfully, for services to medicine.) But his record has been broken again and again; I think the mile has even been done in something like 4:45, but if any life depended on it I could not tell you who holds the record now.

So we must recognise that of all things on this earth, fame is the most evanescent, not only for the latest dispensable pop-singer, hailed as immortal, but practically all of us. Nevertheless, from time to time — a very long time to time — something turns out to be indecipherable. There is no telling why this event is remembered, and that forgotten, though perhaps a tragic death is more likely to catch the imagination of everybody, as with the Mallory and Irvine, and the unanswerable question: did they die before they reached the summit, or on the way down?

Thus it is too with the infinitely touching story of Scott of the Antarctic. If the British team had managed to get back safely, but nevertheless beaten by Amundsen, would they still be remembered throughout the years? And what about Amundsen himself? He behaved with perfect courtesy and humility, and truly grieved for his defeated rivals. But there is more irony here, for he too died tragically and heroically; he was seeking, from an aeroplane, any trace of a colleague and friend who had been in a dirigible which had crashed, and his own aircraft disappeared with him. I do not know whether he is revered in Norway or, if he is, whether someone has written a book and mounted a television series to say that he was a fraud.

One other thing: Scott's last words, in the journal he was keeping, are as haunting as those of Captain Oates: "For God's sake," Scott wrote, "look after our people." Did we?

Why sin does not matter

Woodrow Wyatt on the odd attitude of the church to crime

Two Sundays ago on the Frost programme the Archbishop of York rebuked the prime minister for urging us to condemn offenders a little more and "understand" them a little less. He blamed the competitive society fostered by the Tories which puts all against each other. Writing to *The Times* last Tuesday the archbishop referred to "the dangers of boredom and rootlessness among young people who do not feel they have a stake in society, and the likelihood that high unemployment will be a long-term problem. Any or all of these factors... may contribute to the causes of crime..."

The archbishop's letter appeared on the morning when the newspapers were flooded with coverage of the funeral of two-year-old James Bulger. The funeral was on the same day that five years ago Sharon Joseph, also two years old, was snatched by a 12-year-old boy while her mother was putting birthday presents into her car. He abused Sharon and dumped her dead body by a railway line. Interviewed by the *Daily Telegraph* last week Sharon's parents described the scene in court after the boy killer had been found guilty. Social workers crowded to comfort his mother. "We felt like the criminals," said Mr Joseph. "Not one person came over to us to say how sorry they were. Their concern was solely for the boy and his mother." Mrs Joseph said: "Nowadays, everybody is trying to understand the criminal."

It is this attitude fostered by the archbishop which prompted the social workers to sympathise with the mother of the boy murderer and not the parents of the murdered child. Indeed, when later the parents put a plaque in memory of their daughter in Boreham Wood where she had been abducted, social workers secured an injunction to ensure the boy killer's name would never be mentioned. It is not surprising that Mr and Mrs Joseph and countless others feel the prevailing morality and the weight of the state are on punishing young criminals and, trivialising the traumas of victims and their families.

From 1930 to 1932 unemployment averaged 19.9 per cent. In the next five years it averaged 14.8 per cent. Unemployment was far higher then than any time since the last war. Yet crime among the young and older alike was not remotely a serious problem. Not because the spirit of those suffering unemployment and severe hardship on minute dole payments had been cowed. They were the same young men who fought defiantly and determinedly against Hitler. Their parents, their teachers and the churches still believed in instilling into them the difference between right and wrong. No longer. Trinity College, Carmarthen, has just conducted a survey of 14,000 schoolchildren aged between 13 and 15 in which 16 per cent think that there is nothing wrong with travelling on public transport without a ticket and 17 per cent think it OK to play truant. Many feel that shop-lifting is not anti-social and 72 per cent admitted to stealing.

Similar surveys among schoolchildren elsewhere would doubtless get similar results. It is morally reprehensible of the archbishop, and those who praise him, to blame social deprivation and unemployment (and the government for not eliminating both) when almost all, including the unemployed, have a much higher standard of living than in crime-free Britain before the war. The blame is squarely on the Archbishop of York and other church leaders. They have long abandoned impressing on parents and teachers that their duty is to ensure that those in their care are taught that the first priority of a civilised society is understanding what is right and what is wrong. They have jettisoned the teaching of the Bible and the Jewish, Muslim and other great religions and substituted the anti-social proposition that criminals are merely the product of circumstances created by bad governments. With this blessing from the established church crime has ceased to be a sin.

A deadly habit

LORD RIDLEY died as he lived, relishing his politics and his cigarettes to the very end. This latter passion is the source of some guilt for Algy Cluff, the oil magnate and former owner of *The Spectator*, and Michael Ivins, director of Aims for Industry. Between them they seem to have been responsible for Ridley resuming smoking.

The occasion was a dinner in the early 1970s which Cluff organised to raise funds for the Tories. About 60 young businessmen were invited, and Cluff says he thought it would be a "bit more interesting if we made the Tories work for their money". So he decided to make Ridley debate against Ivins. Each would try to persuade the businessmen that their cause was more worthy of the cash.

Ridley, says Cluff, carried the floor and took home the lion's share of the £3,500 raised. "It was just before the general election, so he was definitely in charge of his brief. He was also the better speaker. Michael is a great

Result, misery

THE Dickens House Museum in central London is suffering a financial crisis that would cause even Scrooge some anguish. It has fallen victim to the property recession after the sudden departure of tenants from a building it owns.

The tenants occupied a property next door to the museum, housed at Dickens's former home in Doughty Street, which attracts 30,000 visitors

a year and holds the manuscripts of *The Pickwick Papers* and *Oliver Twist*.

Dr David Parker, the museum's curator, warns that the unexpected refusal of the Institute of European Studies to renew its lease — it was paying a rent of £24,000 per year — has reduced income by a quarter. "If we can't find some new tenants soon, we will have to start sacking staff."

This would be gloomy news indeed, says Peter Ackroyd, who spent many hours at the museum researching his recent biography of Dickens: "The museum is irreplaceable. Dickens scholars visit from all over the world."



DIARY

Not for John Birt the heavy hand of editorial interference, as listeners to Saturday's *Weekend programme on Radio 4* discovered. Diverse satirical offerings included Birt paying more tax to ease world suffering and setting up his own tax haven. The producer, Phil Clarke, says he was "not nervous" about possible intervention from on high. "What we put in depends on the news." It was nothing personal, he insists: "I have never even met Mr Birt."

Euromoney

WITH the Budget just days away, Norman Lamont at last has a smile on his face. Baron Hermann von Richthofen, the German ambassador to London, may shortly be moved. Chancellor Kohl is expected to replace the ambassador, great

nephew of the first world war German flying ace the Red Baron, with his foreign policy adviser Peter Hartmann. Lamont would be delighted by any change. It was von Richthofen, of course, who in September released a briefing paper from the Bundesbank president Helmut Schlesinger fiercely and embarrassingly rebutting British Treasury suggestions that the Germans had not done everything necessary to support the pound in the run-up in Black Wednesday.

Baggy trousers

VAT INSPECTORS, too known for their fashion sense, are having to get their minds round "grunge", the recent style in shapeless dressing which is encouraging teenagers to don baggy clothes.

Their attention has been focused by retailers, who claim that the VAT-man's idea of clothes for under-14s, which attract no VAT, unlike those for adults, is unimposed. "The inspectors tend to interpret size fairly strictly in line with body shape," says Michael Wilsey of the Retail Consortium. "But fashion has changed and everything is a lot more baggy. Children now wear adult-sized clothes."

Shell-suits are among the accessories which will doubtless be raised at a meeting between retailers and Customs and Excise this week. A government spokesman's solution is for under-14s clothes to be sold in clearly defined children's departments. Others believe a shell-suit investment surcharge is a better idea.

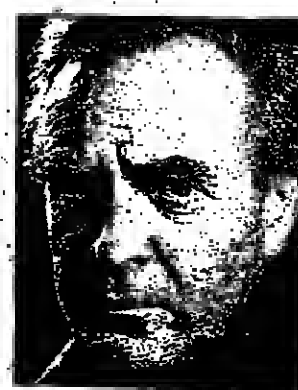
Last time there was a cliff-hanger vote on Maastricht, Baroness Thatcher enraged ministers by giving the rebels a pep talk in her office in the Lords. No repetition was possible last night. Baroness Thatcher spent all day in front of BBC cameras for the four part series *Thatcher — The Downing Street Years*. But they managed without her.

The spy who rebuffed me

"The Biographer Pushed out into the Cold" might well be the title of John Le Carré's next book, following the thriller writer's success in rebuffing Graham Lord, a former literary editor of the *Sunday Express*.

Le Carré thwarted the attentions of his would-be biographer by starting High Court proceedings in January, claiming that Lord had libelled him in the proposal he sent to nine publishers. Now, despite having signed a contract with Little Brown, Lord has decided to pull out.

In bringing the case, Le Carré has probably made literary history, as this is believed to be the first time an author has been sued for libel on the strength of a proposal. Lord refuses to comment, but is expected to apologise to Le Carré. But Lord's agent, Giles Gordon, says: "It is shocking that someone like Le Carré can stop someone writing a biography by throwing his weight around. Aid to stop the book before it has even been written is just amazing. I



Le Carré: privacy preserved

fear for the repercussions on British publishing. The demise of Lord's book leaves only one biographer in the running: Robert Harris, author of *Rutherford*. Harris, however, was due to deliver his manuscript to Hutchinson last December. Meanwhile he is working on another novel, and the biography is "about two years" from completion. He insists he still intends to write the book and that he has Le Carré's blessing: "We met about a month ago and reached an informal understanding that he will give me interviews and point me in the right direction."



PRICE OF PRIDE

The prime minister must now put Maastricht before the people

John Major's grip on his government, already loosened by economic failures, false promises and famous obsessions, was last night revealed in all its greatest weakness. The scale of the defeat was unexpected. The mightiest ammunition of the whips' office and Number Ten could not prevent a Commons defeat of the government by 22 votes. The Prime Minister applied all the pressure at his command to force unity upon his rebellious supporters. He failed. A long and empty parliamentary campaign finally hit the wall of sincere dissent. From that failure new uncertainties will follow.

At the very least the result has undermined John Major's credibility as a legislator and must postpone by weeks the ratification of the Maastricht treaty. In his desperation to preserve a unity which had long since gone, Mr Major attempted in his speech at Harrogate last weekend to mobilise constituency pressure upon the rebels. But by then they had the scent of victory and little to lose by non-conformity to a tired party line. Last night's vote illustrated yet again the poverty of the prime minister's tactical sense and the determination of his critics not to succumb to the arm-twisting and blackmail that won the government victory in the paving motion.

Though ministers rushed to assure the world last night that the treaty was quite unaffected by this triviality, their inability to protect their legislative flagship from modest cannon fire was eloquent enough. It will be fairly said that minority governments and governments with small majorities are always prone to defeat. Between February and October 1974, the minority Labour administration suffered 17 defeats, while the Wilson and Callaghan governments lost a further 42 votes. Equally, it can be argued that those prime ministers who tackle major

constitutional issues often hit trouble, as Harold Wilson found in the late 1960s when he tried to reform the House of Lords.

But this is not merely a constitutional issue. It is a constitutional issue at the heart of the government's programme. Mr Major is failing in government because he fails to realise the people's objections to what their political masters, on both sides of the House, have decided on their behalf. Rarely has a political misfortune been so avoidable. The specific principle over which the government stumbled to defeat scarcely deserved such resolute opposition. Indeed, a prime minister true to his rhetoric would have embraced the Labour amendment 28 to ensure that the 24 United Kingdom members on the proposed European Committee of the Regions were previously elected local authority councillors.

Political hubris evidently overwhelmed belief in subsidiarity. Amending the treaty in this way would have been statesmanlike as well as politically savvy. In the event, the fear of defeat was self-defeating: the prophecy of failure self-fulfilling.

The runes have been clear for longer than Mr Major must now care to reflect. The option of a referendum has been before him for many months. When first suggested, a snap vote on Maastricht could have both calmed the brewing political crisis and been won by the government. Instead, the prime minister committed himself to a crippling parliamentary battle, deluded that his slender majority was enough to steer through a radical overhaul of the nation's constitution and administrative arrangements. This morning, the defeated government is still deaf to the voice of the British public, preferring to await its cue from the second Danish referendum.

VIOLENCE AND THE MEDIA

Public opinion now has a chance to revive our cultural values

There is growing unanimity about the dangers of a popular culture steeped in sadism. Actors, like Anthony Hopkins and Clint Eastwood, who have starred in films of notorious bloodthirstiness, are expressing their concern. Politicians and pundits on the left are condemning media violence in terms that might once have been seen as liberal. Many conservatives will join them, arguing that the excesses should have been checked long before they reached such depths. This budding consensus is welcome. It is all the more important now that the debate should not be muddled before agreement fades.

Earlier protests have been discredited by a blanket condemnation of all depictions of sexuality. People who see themselves as free-thinking are naturally loath to be associated with a campaign that makes no distinction between physical love and savagery.

More pernicious fallacies have been propagated by those opposed to controls of any kind. The demand for proof of a direct causal link between violent behaviour on the screen and off is wrongheaded on several counts. It is impossible by logic to establish an inevitable causal relationship between any two social events.

What is at issue here is not some mechanical connection between what the media depict and what viewers do in response, but the brutalising effect of the cynical celebration of evil. Ubiquitous horrifying images, many of which explicitly involve the abuse of women, must be conducive to callousness and inhumanity.

Another dangerous fallacy is the notion that anything recorded on film or videotape must be regarded as a putative art work. Even assuming that such appeals to creative conscience are sincere (and not simply an excuse for the marketing of crass sensationalism) the freedom of artistic expression cannot be the only thing held sacred by a democratic society. As the film critic,

Michael Medved, has said in his book *Hollywood vs America*, film companies do not only have rights to pursue their own creative obsessions: they also have responsibilities to the wider society in which their work helps to form attitudes.

Few would welcome — or even think feasible — a return to rigid censorship imposed by a statutory body. But this does not mean that reform is impossible. It is time to mobilise this sense of private outrage which so many people now feel. Instead of handing over their responsibilities to the impersonal authority of the law, individuals — whether as parents, teachers, or broadcasters — should accept their own duty to reject what they consider to be unacceptable.

Consumers can have an immediate influence on what it is in the interests of film companies to produce. In Britain, where broadcasting is publicly licensed, television is susceptible not so much to commercial pressures as to social and political ones. If a genuine turning point has been reached in terms of the willingness of people, in their private and professional lives, to speak out for their convictions, this will inevitably impress itself on the corporate bodies that run the media.

There is an appropriate role for the law in regulating the sale and distribution of obscene videos and the protection of children from their influence. But this minority "niche market" is a different problem from that of the mainstream media, which touch the lives of most people. There may also be scope for tightening the Obscene Publications Act, whose wording makes convictions very difficult to obtain, proving that a work tends "to deprave and corrupt" seems too vague and archaic a demand to suit contemporary purposes. But the law is a blunt instrument in moral issues. The collective voice of the people themselves is the best force for reviving cultural values.

PLAY UP AND WALK

England's cricket needs new leadership

Sporting post-mortem examinations are good for establishing the facts, and even (possibly) for learning lessons about how to manage matters better in future. The spring meeting of the Test and County Cricket Board that begins at Lord's today will necessarily conduct a post-mortem on England's tour of India, the "white-wash", the heaviest defeat of England by India, the most unexpectedly unsuccessful adventure overseas by England cricketers. The boast that this was the fittest and best-prepared cricket side ever to have left these shores on tour has now become a sour bar-room joke.

True, in the game (repeat game) of cricket chance, character and the weather count for as much as skill. In many ways the series was magnificent: guileful slow bowlers won matches; huge Indian crowds, poor in all material things, showed themselves generous to a good performance even by the opposition; rash young men for once put the brutal and boring barrage of fast bowling to the sword; Graeme Hick and Chris Lewis came of age in adversity as disciplined England players. With a bit of luck with the toss, England might conceivably have won.

But truth lies also in the score-line. This retrospective needs to look at the machinery of selection, which contrived to leave out the best wicketkeeper, a regular opening partnership, and England's highest scorer and best left-handed player of spin bowling. No England side has yet been selected with

which the saloon-bar pundits did not disagree vehemently. That is one charm of the chancy game. But these omissions managed to provoke even the deeply conformist members of the Marylebone Cricket Club into a rebellion of frustration.

The TCCB needs also to take a long look at the style and ethos of the modern game. What was embarrassing about this winter's Indian tour was its conduct. The turn-out, the press relations, the whining excuses, the general incompetence were unprofessional. The time has come for a change in the direction of English cricket. The game should not be reduced to the level of football, where winning is all that matters.

The captain needs to be an outgoing and generous player, who can bring out the best in his team. The most successful England captain in recent times was Mike Brearley, even though he always had trouble scoring runs for himself. The chairman of the selectors, Ted Dexter, was one of the most daring and brilliant batsmen of this generation, cavalier not roundhead. But his record as chief selector is dismal and casual.

The time has come to make a new start. It might not be cricket to sack Dexter for the final year of his contract. But he would be setting a stylish and unfashionable example to the rest of public life, for which cricket is the peculiarly English paradigm, by doing the decent thing and walking — just as he used to do when at the wicket.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 071-782 5000

Birt's 'total commitment to BBC'

From the Director-General of the BBC

Sir, Last week, I joined the staff of the BBC (report, March 2), regretting the distress I had caused by my contractual arrangements as deputy director-general. May I offer some perspective on the reports and comment of this past week that followed my announcement?

Six years ago I was approached to join the BBC as deputy director-general. I was offered a five-year term and given a specific brief. It was conceivable that I might return to the commercial sector thereafter, so it seemed sensible at the time to continue the contractual arrangements that applied at LWT, where I was then working — namely, to supply my services to the BBC through my own company. This was accepted by the BBC.

Such arrangements are not uncommon in broadcasting. I had been a freelance or had offered my services through a company since I had worked as a young producer at Granada in the late 1960s. The benefits over a period of time were a close involvement in determining the nature of the work I should do and the flexibility and mobility of having my own company pension scheme. There were also tax advantages but — despite some of the speculation of these past days — these have been modest.

In order to demonstrate this, my solicitors invited Ernst and Young, a leading firm of chartered accountants, to undertake an independent scrutiny of my and my company's accounts and to establish the tax advantage of my arrangements for the year ended August 31, 1991, the period which has received most attention in the press. Ernst and Young had not previously been involved in my affairs.

Ernst and Young report that if I had been directly employed as a member of BBC staff, I would have been liable in the period for £45,551 for income tax and national insurance contribu-

tions; that in the event, the total tax and national insurance liabilities of the company, my wife and myself were £41,616; and that accordingly, the saving was £3,935. This benefit was reduced by the company's accountancy and administration costs; the net benefit for the Birt household was £810 for the year.

There has been widespread misunderstanding of the benefit of such arrangements because the normal day-to-day expenses incurred on BBC business were paid by my company and charged on to the BBC, inflating the turnover and the apparent level of expenses of the company, and because any personal benefits received from the company by my wife and myself are benefits in kind and liable for tax.

I accept that it is inappropriate for the director-general — the person with ultimate management responsibility — not to be an employee of the BBC. In the late autumn of last year, when the first discussions about the terms of my contract as director-general began, the BBC's stated preference was that I should become a member of staff.

When Sir Michael Checkland decided to leave at Christmas — before the end of his term — the handover was accelerated. And because of the intense pressure of business, these contractual discussions had not been concluded.

My long familiarity with contractual arrangements of this sort did not prepare me for the dismay and unease that news of them generated.

I moved quickly to join the BBC's staff because I did not want anyone — least of all those working within the Corporation — to think that my commitment and dedication to the BBC were less than total, which they are.

Yours sincerely,
JOHN BIRT,
Director-General,
British Broadcasting Corporation,
Broadcasting House,
Portland Place, W1,
March 8.

US trade barriers

From Mr Phillip Oppenheim, MP for Amber Valley (Conservative)

Sir, It is good to know that President Clinton plans for the United States to "compete not retreat" (report, February 27). But if he succeeds, it will be a reversal of US policy over the past 30 years, during which time successive administrations have imposed trade barriers on a raft of imports, including steel, cars, trucks, semiconductors, ships, textiles, luggage, shoes and most types of food.

For example, the US slashed sugar import quotas during the 1980s, particularly hitting poorer producers. South American countries trying to wean their farmers off growing coca leaves and onto citrus have been frustrated by high tariffs on orange juice imports while Third World peanut growers have been all but excluded from the US market.

It is also ironic that while fighting a long battle to persuade the Japanese to open up their rice and beef markets, the United States itself severely re-

stricts imports of these two products.

The US is also the keenest user of the Multi-Fibre Arrangement, limiting textile imports with 29 separate import restraint agreements, hitting such dangerous industrial rivals as Nepal, Mauritius and El Salvador.

Of course, European countries have been at least as bad and Japan is well known for its trade barriers, although these have generally been exaggerated by Western commentators eager to excuse the competitive failings of their own industries.

But the often self-righteous indignation of US leaders over the trading standards of others should be tempered by the fact that, whatever the free-trade rhetoric of the last two Republican presidents, they presided over a period of intensifying trade barriers.

If the new president performs differently, it will be a very welcome change for the better.

Yours faithfully,
PHILLIP OPPENHEIM,
House of Commons,
March 2.

Turner sale

From Dr Selby Whittingham

Sir, To say that the Tate owns two-thirds of the Turners in existence (leading article, February 26) is a bit misleading. It has only one-third of his finished paintings, the subject of his bequest and of the Holloway sale.

Admittedly this is less misleading than the claim made in 1916 that out of 23,000 works owned by the National Gallery 20,000 were by Turner. This was made to support the very nearly successful attempt to sell many of the Turners in order to buy Titians.

Unfortunately instead of our rejoicing in having such a great treasure of his works, a recurring reaction has been that it is either a nuisance or a convenient pot into which the nation can dip for the exchange of something else, either by sale or long-term loan.

To say further that the Tate "can display only a tenth of its picture-stock at one time" is irrelevant. The Clore

gallery was purportedly built so that all the Turner pictures could be shown all the time.

That that has not happened is because the National Gallery has kept some of the best and the Tate, when it is short of money, economises first on staff to show the Turner oils and watercolours.

Though the nation has increased enormously what it spends on its collections, including the Turners, its priorities have not changed much since Ruskin complained that "while they are willing to pay for any quantity of sentinels to stand in boxes about town and country... they would not... pay so much as a single attendant to hand them the Turner drawings across the National Gallery table".

Yours faithfully,
SELBY WHITTINGHAM
(Co-Editor),
J.M. V. Turner, R.A.,
Turner House,
153 Cromwell Road, SW5,
February 26.

Onward and upward

From Mrs Eithne H. Lewis

Sir, What Sir David Serpell needs (letter, February 23) is an old-fashioned Kirby-grip to hold the used toothpaste tube in place. Having rolled over the empty end a couple of times, the hair-grip stays in place, thus preventing the toothpaste going backwards and the tube unravelling.

A slight difficulty might be in obtaining these hair-grips now but once you have one, it transfers from tube to tube.

Yours faithfully,
EITHNE H. LEWIS,
St Mary's House,
2a New Market Street,
Buxton, Derbyshire,
February 25.

Business letters, page 27

Letters to the editor that are intended for publication should carry a daytime telephone number. They may be sent to a fax number — 071-782 5046.

Leasehold bill's effect on charities

From Lord Kindersley

Sir, The letters you have published (February 4, 15; March 2, 4) concerning leasehold reform show that this is clearly an emotive issue, and understandably so. This letter is concerned with the effects that the proposed changes will have on charities.

For over 300 years Henry Smith's Charity has existed with the sole purpose of distributing the income it derives from its property investments to worthy causes. The fact that we were able to distribute over £12 million last year is due almost entirely to the decisions of earlier trustees to buy and then develop the Kensington Estate with the help of the long-leasehold system.

This has allowed us to retain our freehold interest, to diversify our portfolio through the renewal of leases and to ensure a continuing and growing income for our beneficiaries.

Under the terms of the Housing and Urban Development Bill charities will be forced to sell the freehold

interest in their properties to leaseholders, which will almost certainly lead to the break-up of the Kensington Estate with all that that means for the area, the remaining leaseholders and even the new freeholders.

The absence from the bill of a principal private residence test and adequate compensation will mean that the leaseholders, who stand to gain profits at the expense of charities, will not only be the long-standing residents of charity-owned estates, but will also include foreign companies and speculators who may rarely, if ever, actually live on the premises.

I have tabled an amendment to the bill which I hope will secure cross-party support when it is debated during committee stage on March 9, seeking to make charities exempt from these reforms.

Yours sincerely,
KINDERSLEY (Chairman),
Henry Smith's Charity,
5 Chancery Lane,
Clifford's Inn, EC4.

Steps to control young criminals

From the Chairman of the Police Federation of England and Wales

Sir, I was saddened by the reference in the letter from seven leading practitioners in the field of children's welfare (March 3) to "the general climate of hostility towards young people, which has developed in recent weeks". This is nonsense: the hostility is towards persistent young criminals and not the vast majority of young people, of whom we have cause to be proud.

Far from condemning Mr Clarke's proposals (report, March 3) to deal with the very small minority of young criminals who are responsible for the bulk of reported crimes, we believe that most people are astonished that there is no existing penalty available to the youth courts to do what common sense and consideration for the victims of crime demands.

Those who say that in the past young offenders had a high rate of recidivism after leaving approved schools and borstal as compared with those who were not punished in this way fail to recognise that the young offenders of those times had already been through the menu of conditional discharge, fine and probation before being sent away.

I do not believe that the new system will fare much better, but it is time that society had a rest from the activities of these out-of-control youngsters, who regard crime as a natural way of life.

Your editorial, "Panic over crime" (also March 3), suggests that it is better to send these young criminals to secure units where they will mix with non-criminals of their own age, since this makes it easier for them to join the law-abiding classes when they leave. This is the precise opposite of what happens. At present they are sent to local authority homes, where they mix with youngsters who are in care because they have been abused or home circumstances have broken down. They contaminate these children, they are not reformed by them.

Yours sincerely,
ALAN EASTWOOD, Chairman,
Police Federation of England and Wales,
15-17 Langley Road,
Surrey,
March 3.

From Mr Michael Howlett

Sir, According to the representatives of seven children's charities, "schemes to prevent young people being drawn into the criminal justice system or to confront those who have offended with the consequences of their offending have proved far more successful than custody in preventing re-offending".

But which are the schemes that have successfully prevented or confronted the "tiny minority of young people" who persistently steal cars or persistently burgle houses?

The point of Kenneth Clarke's new proposals is to provide a residential facility which will offer these young offenders containment and management in conjunction with a badly needed educational structure and a

programme of personal and social development.

It is manifestly clear to anyone who works in this field that these young children, however few in number, currently feel themselves to be uncontained, unmanaged, out of control and in dire need of effective and compassionate adult intervention.

An opportunity has arisen to set up a unique kind of residential facility, multi-disciplinary in nature and unlike any of its predecessors.

It is essential that the voluntary and private sectors, with all the knowledge and experience they carry, assist in this development and resist the easy and somewhat predictable tendency to marginalise themselves.

Yours faithfully,
MICHAEL HOWLETT,
Coachyard Flat, Peper Harrow,
Godalming, Surrey,
March 4.

From Mr Robert Pike

Sir, Your report of March 3 on the recent closure of Peper Harrow therapeutic community at Godalming in Surrey may convey the impression that the rehabilitative work pioneered there has been terminated completely.

This is not the case. The Peper Harrow Foundation continues to operate communities in Northamptonshire (Thornby Hall, for youngsters of ten years and over) and at South Norwood in south London (Cumberlow, catering for adolescents of 15 plus), the latter facility being jointly owned and run with the National Children's Home.

The level of fixed costs entailed in the specialist treatment and care provided by such centres does, however, make them particularly vulnerable to the fluctuations in demand from local authorities which caused the demise of the Peper Harrow community in Surrey.

Quality treatment demands adequate and consistent funding; indeed, one searches in vain for a more salient fact in the whole of the current debate on juvenile reform.

Yours faithfully,
ROBERT PIKE (Director),
The Phoenix Appeal for the Peper Harrow Organisation,
14 Charterhouse Square, EC1,
March 4.

From Mrs Jacqueline Garber

Sir, As a juvenile-court magistrate for the past 18 years I was shocked by your report (March 4) that £184,000 was spent on a survey of rising truancy.

Long-serving magistrates could have given Mr John Patten, the education secretary, the same information at no cost. Nothing has changed over the past 20 years and we are now seeing in youth courts a second generation of truants.

Yours faithfully,
JACQUELINE GARBER,
5 Manor Hall Avenue,
Hendon, NW4,
March 4.

Junket fever

From Mr Peter Bottomley, MP for Eitham (Conservative)

Sir, It is indeed Westminster's overseas fact-finding season again (Diary, March 1). The transport select committee wished for evidence on Japanese and Swedish railways.

Its experts kindly met us in London. We have travelled to Crewe and to Stratford in east London.

Yours faithfully,
PETER BOTTOMLEY,
House of Commons,
St David's Day.

Back to books

From Mr Richard Goss

Sir, Is the cultural recession coming to an end? In recent weeks in the nearby village of Long Melford a video film renting shop has closed — and a bookshop opened.

Yours faithfully,
RICHARD GOSS,
The Old School House,
Bures St Mary, Suffolk.

NEWS

Tories inflict defeat on Major

Conservative MPs dealt John Major a severe blow by inflicting on the government its first defeat over the Maastricht treaty, amid scenes of uproar in the Commons and calls on the government to resign.

A Labour amendment was carried by 314 votes to 292, an unexpectedly wide margin of 22 votes. Tory rebels joined Labour and the Liberal Democrats in a vote that means a long delay in the Maastricht timetable. Page 1

UN reaches deal in Bosnia

United Nations officials in Belgrade prepared to evacuate more than 70 seriously wounded people from a village in eastern Bosnia after General Philippe Morillon, commander of UN forces in Bosnia, said he had reached an agreement with Bosnian Serb commanders. Pages 1, 15

Bishop resigns

The Bishop of Gloucester, the Rt Rev Peter Ball, resigned after admitting an act of gross indecency with a novice monk. The Crown Prosecution Service decided against bringing the matter to court but advised police to issue a caution. Page 1

Tower alarm

Wardens at the Tower of London, the front line in any emergency at Britain's most popular historic attraction, accused the authorities of ignoring pleas for fire escapes and welcomed *The Times* enquiry on safety. Pages 1, 8

Black jobs

The unemployment rate among black and Asian people is more than double that for white people, says the GMB general union. Its claims are based on the government's census figures. Page 9

Tanks v Koresch

President Clinton has sent in tanks to reinforce the hundreds of federal agents surrounding the Branch Davidian compound in Texas, after David Koresch, the cult's leader, announced he and 106 fellow believers were ready for war. Pages 1, 14

Back to Latin

A west London school which was the London showcase of 1960s radical comprehensive education policy is to scrap many mixed ability classes and reintroduce Latin. Holland Park School, once described as the

Eton of the comprehensives, is trying to adapt to the new league tables. Page 4

Unita wins

The bloodiest battle in Angola's long-running civil war ended after government troops abandoned the key city of Huambo to Unita after fighting that has left at least 10,000 dead. Page 14

Sore sites for eyes

Stonehenge is a disgrace. St Paul's Cathedral expensive and the Crown jewels depressing. The most popular tourist sites shame Britain, according to *Holiday Which?* Page 5

Hospital fight-back

Virginia Bottomley is planning to hit back in the dispute over hospital bed closures. The health secretary will try to deflect criticism over cancelled operations by drawing doctors more deeply into budget-setting. Page 2

Tax scandal

Eveo a Japanese public hardened by decades of political misdemeanours is shocked by the sums involved in allegations of tax evasion on party donations against Shin Kanemaru, once the country's most powerful political broker and now in jail for questioning. Page 12

Votes shock

Björn Engholm, Germany's SPD challenger to fight Helmut Kohl for the chancellorship next year, has been seriously hit by heavy election losses in Hesse and an old scandal. Page 15

Birt explains his tax arrangements

John Birt, director-general of the BBC, has written to *The Times* to end the "widespread misunderstanding" over arrangements which allowed him to avoid tax on a substantial amount of his salary. He says the net benefit to the Birt household of the agreement to pay him on a freelance contract was £810 for the year to August 1991. Page 1



Italian style: the fashion designer Gianni Versace surrounded by models wearing his autumn-winter collection in Milan.

BUSINESS

Dog fight: Thomas Cook, the German-owned travel company, launched a tender offer for 12.5 per cent of Owners Abroad to thwart a full bid from Airtrans, the rival travel group. Page 23

Next round: George Walker, the former boxer, is seeking to have himself made bankrupt so that he can obtain legal aid to defend criminal charges pending against him. Page 23

Markets: A late surge lifted shares in London to a record, with the FTSE 100 index closing up 35.2 at 2,957.3. Sterling's strong run faltered, the pound closing .35 cents lower at \$1.4465 and down 42 pence at DM2.4048. Page 26

Football: Manchester City may be fined or have to play matches behind closed doors after the Maine Road pitch invasion at their FA Cup quarter-final against Spurs. Page 44

Olympics: David Miller discloses that the administrative tensions between black and white in Atlanta, Georgia, may be about to fracture with the probable rejection tomorrow of proposed main stadium for the Games in 1996. Page 40

Golf: Australian Greg Norman, renowned for squandering sizable leads, is back on top with his tournament victory in Florida. Now he has his sights fixed on Augusta and the Masters. Page 42

Ritz Roxy: After 20 years in the wilderness, the seventies are back with a vengeance. The dippy, decadent, elegantly wasted look is out on the streets, anyone who is anyone is flashing their tummy button and Bryan Ferry is back. Alice Thomson meets rock's original lounge lizard. Page 16

Puffed out: This year's no smoking day will be different. Ever since the first tobacco taxes were levied in the 17th century, there has been a pot of money to be made from smokers. Now there is a great deal of money to be made from persuading them to quit. Page 17

Last we forget: Tomorrow is the fiftieth anniversary of Laurence Binyon's death: next week marks the centenary of Wilfred Owen's birth. Were they great poets or was their poetry made great by circumstance? Page 37

After apartheid: Musicians, film directors and playwrights are adjusting to the reality of working in the new South Africa: fewer restrictions but no clear-cut subject matter. Page 39

Russians at the keys: Evgeny Kissin and Lazar Berman, respectively the young lion and the veteran virtuoso of Russian pianism, have both given recitals in London. Page 39

THE TIMES TOMORROW

The Ambridge dilemma

The archetypal English village lives on... and not only in the minds of city dwellers. The *Homes Page* examines the dilemma of rural life: half the British population wants to live in a village but nobody who lives in a village wants others to move in.

Why women put on boxing gloves

Coleman runs a gym in Manhattan. Deirdre Coleman is a model and Karen Kusama is a film-maker. In their spare time, they box. Kate Muir reports from New York on the fashion for boxing workouts.

First-class in classics at Cambridge

Quinlan Terry, high priest of architectural neoclassicism, has designed a stunning new library building in ancient Greek style for Downing College, Cambridge.

The *Golden Girls* become *Brighton Belles* as the American sitcom is relocated to the English south coast, with Sheila Gish, Wendy Craig and Sheila Hancock, and Jean Boht as the dreadful mother (ITV, 8.30pm). Page 43

Wall of discontent

This morning, the defeated government is still deaf in the voice of the British public, preferring to await its cue from the second Danish referendum. Page 19

Media violence

Consumers can have an immediate influence on what is in the interests of film companies to produce. Page 19

Testing times

Ted Dexter would be setting a stylish example to the rest of public life, for which cricket is the odd English paradigm, by doing the decent thing and walking — just as he used to do when at the wicket.

WOODROW WYATT

It is morally reprehensible of the Archbishop of York, and those who praise like him, to blame social deprivation and unemployment (and the government for not eliminating both) when almost all, including the unemployed, have a much higher standard of living than in crime-free Britain before the war. The blame is squarely on church leaders. Page 18

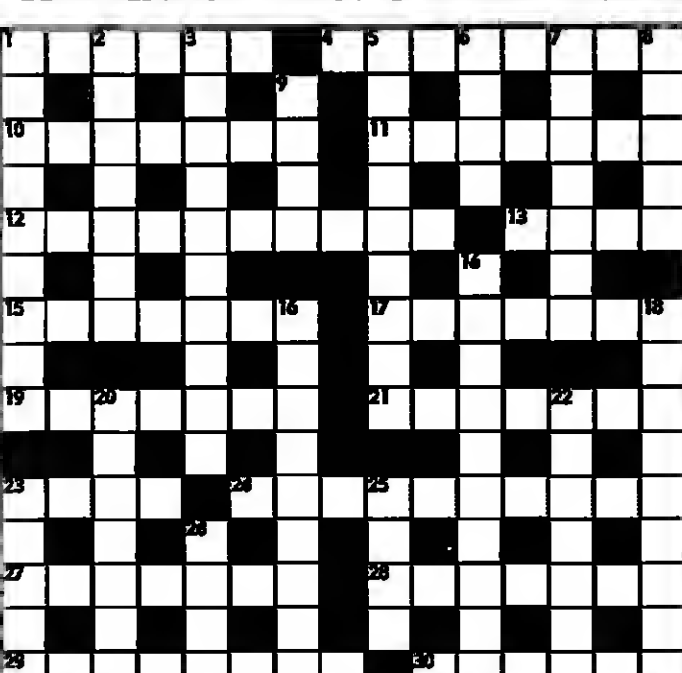
LYNNE TRUSS

I don't buy French apples (why I don't remember, I don't buy cat food marked "beef" (mad cat disease), and I am wary of eggs (Mrs Currie). Making meals is therefore quite difficult, as you can imagine. If there is ever a scare involving high economy sacks of Maltesers, quite frankly I am done for. Page 18

John Birt, director-general of the BBC, explains why he was not a member of the corporation's staff until last week. Page 19

German politics are in a state of upheaval and we will see a period of doubt on the Rhine, with all the repercussions one can imagine for its European neighbours, weakened by these new German worries. Chancellor Kohl... risks finding himself in an awkward situation. *Le Monde*

THE TIMES CROSSWORD NO 19,173



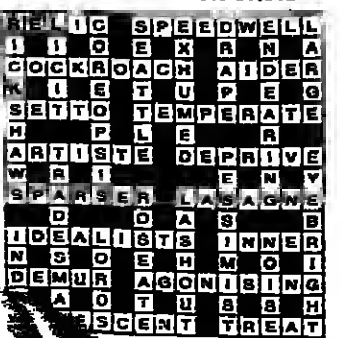
ACROSS

- 1 Lorez Hart's notable words (6).
- 2 Oriental attendant who in Paris was inside the horse-drawn carriage (8).
- 3 Complaint made by fifty fellows in a small island (7).
- 4 One thus recently out of (7).
- 5 Goes majestically to receive a prize (10).
- 6 Ruth's brusque husband has done a bunk (4).
- 7 Classically simple design for, e.g., chair (7).
- 8 Archdeacon in terrible rage, getting his own back (7).
- 9 Third's way to break the governor (7).
- 10 Almost too tired to move about the city (7).
- 11 Pay the infamy (4).
- 12 Fool's stern follow-up to new cat in earnings (10).
- 13 Sounds like an Asian river creature (7).

DOWN

- 1 It's refined flattery, shoring up the head (4,5).
- 2 Take over from magistrate covering Long Island (7).
- 3 Noddled race-horse, say, for part of the course? (10).
- 4 We may be sucked in by this lively French writer (9).
- 5 Club that may be 25 (4).
- 6 Grace is stupendous (7).
- 7 Lament for member in the old set-up (5).
- 8 Let it stand about no longer in the road (4).
- 9 Line from poet needing new flat in safe environment (10).
- 10 On reflection he made a bloomer, falling in love (9).
- 11 Householder who settled in the locality recently? (7).
- 12 Weapon for commander of Japanese forces surrounding square (7).
- 13 Old creature in Elinor's tale? It's the same thing (7).
- 14 Destined to be a rich press chief (5).
- 15 Let down the company (4).
- 16 TNT the Sappers put in this place (4).

Solution to Puzzle No 19,172



Concise Crossword, page 44

TIMES WEATHER

For the latest region by region forecast, 24 hours a day, dial 0551 500 followed by appropriate code.
Greater London 701
Kent, Surrey, Sussex, Dorset, Hampshire & Isle of Wight 702
Devon & Cornwall 703
Wiltshire, Gloucestershire, Herefordshire & Shropshire 704
Berkshire, Buckinghamshire & Oxfordshire 705
Northamptonshire & Bedfordshire 706
West Midlands & Shropshire & Cheshire 707
East Midlands & Lincolnshire 708
East of England 709
North East & Yorkshire 710
East of Scotland 711
East of Ireland 712
West of Scotland 713
West of Ireland 714
Channel Islands 715
Dorset & Pembrokeshire 716
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Securities losses help depress profits at Barings



Baring uncertainty

By PATRICIA TEHAN

BARINGS, the City's oldest merchant bank, watched its profits collapse 50 per cent to £21.26 million last year, hit by losses in its securities division and an exceptional £8.9 million cost for reorganisation.

The bank made more than 100 staff redundant from Baring Securities in 1992 and the exceptional cost also reflects losses on surplus office space. The securities arm returned to profit in the final quarter of the year, helped by the devaluation of sterling and increased activity in the financial markets.

Peter Baring, the chairman, said other businesses in the group —

banking, corporate finance and asset management — produced higher profits. He added: "Generally, 1992 was not an easy year. Signs of recovery were slow to emerge in the Anglo-Saxon countries, the downturn in Japan deepened and, towards the end of the year, a number of the major EC economies began to slow sharply."

The year was also notable, he said, "for the disruption and uncertainty in the European Monetary System. Interest rates fell during the year in most major economies; however, in dollar terms world equity markets declined over the period, with the important Japanese market remaining particularly depressed."

On the banking side, the devaluation of sterling helped Barings' Treasury performance and "our consistent record of avoiding the need to make any net addition to provisions against bad debts was maintained for a further year," said Mr Baring.

Barings Asset Management increased its profits, while funds under management rose from £17.8 billion to more than £22 billion.

Dillon Read, the Wall Street investment bank in which Barings has a 40 per cent stake, "performed well" in both M&A and capital markets.

Looking ahead, Mr Baring said: "A wide-spread recovery in the world economy remains elusive, notwithstanding some tangible signs of hope in the United States and the emer-

gence of China as a powerful new force for expansion in East Asia."

He said it was too early to feel confident, but "if the optimism about the US and British economies were to be confirmed, that would be good for our business."

At the half year, the company revealed it was reducing its presence in Japan, withdrawing from Scandinavian securities and closing down its Frankfurt office. The group has already announced its withdrawal from the trading on the floor of the London International Financial Futures and Options Exchange in order to make cost savings. Mr Baring said yesterday: "We will continue to concentrate on the control of costs."

TDG finds no relief from the slow lane

TDG remains cautious about the short-term outlook but expects higher returns from its more recent investments when the economy begins to recover

By MARTIN BARROW, CITY NEWS EDITOR

TRANSPORT Development Group, Britain's second-largest haulier, said trading conditions remain weak and there were no signs of any upturn in its markets. Margins remained under pressure despite progress in containing costs through rationalisation. TDG shares fell 9p to 286p.

The company is maintaining the total dividend at 9.5p, with an unchanged final of 6.5p. In the year to end-December, pre-tax profits were £33.5 million (£16.9 million restated). Earnings rose from 3.6p a share to 12.05p.

The company previously reported profits of £38.9 million for 1992 and earnings of 17.6p a share, but an extraordinary charge of £18.6 million has now been taken above the line in accordance with new accounting standard FR33.

Turnover from continuing operations rose to £565 million (£544 million) but operating profits fell to £40.5 million (£43.6 million). Interest charges eased to £4.3 million (£4.7 million), although gearing was virtually unchanged at 18.6 per cent.

UK profits were steady at £31.9 million (£32.3 million) with steps being taken to reduce the proportion of low

margin work. In Europe, both Holland and Germany returned higher profits but in France there was a loss of £2.1 million (£1.2 million profit). TDG withdrew from America in late 1992, selling Willing Freight Lines to management for £11.2 million.

Martin Llewellyn, the chairman, said TDG still had a number of underperforming assets that masked the "excellent" results being achieved by newer initiatives and investments. The company sought a higher return for shareholders and this year's priority was to identify business areas where the company should concentrate resources.

TDG said losses in France would persist in 1993. Alan Cole, chief executive, said: "We have budgeted a lower loss but a loss it will be." TDG has changed management at Translational, a French subsidiary, and aims to bring its cost base back into line.

As in Britain, too many companies are chasing too little work in the haulage business. But in France an added complication is that the market is highly fragmented and small companies with one or two trucks are quoting "absurdly" low prices.

Govett plans for a full Nasdaq listing

By PATRICIA TEHAN

GOVETT & Company, the Anglo-American financial services group, lifted its pre-tax profits 30 per cent to \$45.2 million in 1992.

Last year, the company launched a sponsored American Depository Receipt programme in New York, enabling it to trade on the National Association of Securities Dealers' electronic bulletin board. American shareholders account for about 28 per cent of shares, compared with 23 per cent last year, and Govett has decided to go for a full Nasdaq listing in the summer.

Following the decision, Govett has decided to report its insurance company results on the US Generally Accepted Accounting Principle basis, instead of UK embedded value. Profits for 1991 have been restated to reflect the change. Arthur Trueger, the chair-

man, said: "Embedded value has the advantage of taking the book of business in force directly into earnings. US GAAP tends to reflect more closely the cash flows of the business."

Ian Whitehead, Govett's chief financial officer, said American shareholders would find the accounting treatment more acceptable; UK investors would view it as more conservative.

The company is proposing a final 14.5 cent dividend, making 24 cents for the year, up from 22 cents. Earnings per share increased 25 per cent to 45 cents, thanks to Govett's share buy-back programme last year.

London Pacific, Govett's American insurance arm, was the biggest profit generator, increasing its pre-tax profits from \$4.8 million to £19.1.



Breadwinners: Mike Darrington, right, and Malcolm Simpson, finance director, yesterday

High rents bite into rise in profits at Greggs the baker

By JON ASHWORTH

ESCALATING rents are proving a thorn in the side of Greggs, the Newcastle baker, depressing profits by £1.5 million more a year than they were five years ago.

Pre-tax profits still rose to £6.96 million (£6.1 million) in the year to December 26, and the shares gained 43p to 535p on the news.

Turnover breached £100 million (£95.5 million) for the first time. Earnings were 40.6p (£36.8p) a share, while a final dividend of 10p (9.375p) makes a total of 15p (14.125p) for the year.

Mike Darrington, manag-

ing director, said higher rents took an extra 0.6 per cent of turnover last year. He called on the government to outlaw highly inflationary upward-only rent review clauses.

Mr Darrington said headway was being made in a "very competitive" market place. Sandwiches, cakes and savoury products are performing well, but a price war in the bread and roll sector has hit sales.

Sales and profits to date match those of the previous period despite a slow start to the year, exacerbated by gales in January that kept people at

home. Greggs opened 16 shops during the year and closed three, leaving a total of 487. Profits were eroded by a provision of £134,000 against an expected loss on the sale of the Hibberds bakery in north London.

Although ingredient price inflation is running significantly ahead of last year, the company is confident of making further progress this year. Stable ingredient prices combined with greater efficiencies more than offset the continuing effects of recession, increased competition and the rise in rents.

Higher costs hit Perkins

By COLIN CAMPBELL

PERKINS Foods achieved a 36 per cent increase in sales to £353.8 million in the year ended December 31, but higher administrative and distribution costs and the impact of an interest charge — as opposed to an interest credit — left pre-tax profit 9 per cent lower at £22.1 million.

Turnover was stronger in frozen and chilled foods and fresh produce, but weaker in mushrooms. There were lower profit contributions from the fresh produce and the mushrooms divisions in 1992, and there was an £1.7 million interest charge for 1992 compared with a £2.7 million interest credit previously.

The year's total dividend rises from 4.3p to 4.4p a share, declared out of net earnings of 9.7p (11.9p) a share. Howard Phillips, chief executive, said the current satisfactory level of trading made Perkins confident about prospects. Payments in respect of acquisitions, investments and deferred considerations totalled £8.7 million and, due to the devaluation of sterling, overseas borrowings rose in sterling terms by 15 per cent.

Year-end gearing was 34 per cent. The operating profit of £23.8 million (£21.5 million) includes £1.2 million of insurance proceeds after the destruction by fire of the pizza factory in 1991.

Persimmon halves to £10.2m

By COLIN CAMPBELL

PERSIMMON, the house-builder, has seen "cautiously encouraging" signs for 1993, after going through the most difficult year in its 20-year history.

The group made provisions totalling £3.1 million in the year to end-December to cater for the reduced value of several development sites, and reported 1992 pre-tax profits of £10.2 million (£22.3 million).

Although net earnings turned out at 7.3p a share (16.8p), Persimmon is maintaining the year's dividend at 8.6p.

Completed house sales during 1992 were slightly higher at 2,340 (2,324). Duncan Davidson, the chairman, said some improvement had been noted since January 1.

As at March 1, total sales, including forward sales, were 1,318 homes, up from 1,028. Margins in 1992 were 12 per cent at the operating level, the group said, while net pre-tax margins after provisions were 7 per cent. Selling costs have risen from 2.8 per cent of turnover in 1988 to 8 per cent in 1992. Mr Davidson said: "As the housing market recovers, we expect to see these costs reduce."

Net asset value at balance sheet date was 138.4p a share (140p).

Interest benefits give boost to British Vita

BRITISH Vita, the polymer, fibre and fabric technology group, gained interest benefits from its March 1992 rights issue, which led to net interest received of £842,000 compared with a previous £4.61 million interest debit and helped 1992 pre-tax profits rise from £50.4 million to £55.2 million. The group expanded its horizons eastwards and westwards in 1992, but suffered losses in Spain. Further rationalisation is a priority for this year, the group says.

The return on average shareholders' funds was 22 per cent (31 per cent) in 1992. At year-end, cash in hand exceeded borrowings by £43 million. British Vita invested £23 million last year in capital programmes and on acquisitions. The year's dividend rises from an adjusted 6.84p to 7.15p a share. *Tempos, page 27*

Cornwell Parker falls

CORNWELL Parker, the furniture and fabrics group, saw pre-tax profits drop to £2.9 million (£3.7 million) on turnover of £43.1 million (£44.1 million) in the six months to end-January. Earnings per share were 4.6p (6.2p). The interim dividend is held at 1.7p. The furniture division started the year with low order books but margins were maintained despite a fall in turnover. Trading in the furnishing fabrics market continues to be particularly difficult. There are some signs of improvement in the economy, but any benefits will take time to feed through.

Seton buys Boots names

SETON, the healthcare group based in Oldham, has bought 10 brand names, including the Farnell cough remedy, from Boots, for £2.8 million. Seton said it was confident of increasing sales of the brands in the British and overseas markets. The brands, which achieved £1.5 million worth of sales in the year to last March, also include Acriflex antiseptic cream, Dipek, the indigestion treatment, and the Sea Legs travel sickness remedy. Boots said that the brands represented less than 0.5 per cent of sales of its Crookes Healthcare division, which previously handled the marketing.

ICI settles with Barr

IMPERIAL Chemical Industries has reached an out-of-court settlement with Barr Laboratories in a patent dispute involving ICI's US patent on tamoxifen citrate. ICI will pay Barr £2.1 million, while Barr will enter into a non-exclusive, distributorship agreement with Zeneca, ICI's American affiliate. Barr will begin selling generic tamoxifen citrate, from November 1, ICI said. Both parties agreed to dismiss all claims in the action and have asked a US Court of Appeals to vacate a lower court judgment finding the patent unenforceable.

Insurance group in red

UNI Storebrand, Norway's biggest insurance group, part of which is in the hands of public administrators, lost Nkr3.38 billion (£325 million) in 1992, primarily as a result of a fall in the value of its stake in Skandia Försäkrings, Sweden's biggest insurance company. Uni's results also suffered from a marked turnaround in fortunes at its international insurance business from a profit of Nkr64 million to a loss of Nkr546 million in 1992. Per Terje Vold, chief executive, said this poor result was partly due to Hurricane Andrew, which cost Uni Nkr164 million.

Springer stake increased

LEO Kirch, the Bavarian television and film magnate, has increased his stake in the Springer publishing group, owners of Bild, Germany's biggest mass-circulation daily, by 10 per cent to just over 35 per cent. A spokesman for Herr Kirch said that the increase was made with the help of the heirs of Axel Springer, founder of the Springer empire. He said Herr Kirch was the buyer who paid DM220 million last week to Poligrafici, the Italian publisher, to secure its 10 per cent stake in the Springer group.

Acquisitions help Fairey

ACQUISITIONS in the electronics sector added £1 million to Fairey Group's profits. Fairey spent more than £15 million on buying businesses, including Infrared Engineering and Iron, a US-based Infrared technology group. Profits rose from £14.5 million to £17.3 million in the year to end-December and earnings from 28.1p to 32.5p. The electronics division brought in £10.7 million out of group operating profits of £15.9 million. Fairey has net cash of £2.1 million and the total dividend is 10.2p, up 13 per cent.

Van Miert delays order

KAREL Van Miert, the European Commissioner, has postponed a decision on a proposal to order the recovery of 650 billion lire (£282 million) in state capital injections from ILVA, an Italian steelmaker. Mr Van Miert had proposed issuing the order on the grounds that the capital amounted to illegal state aid under EC rules. EC officials said Mr Van Miert had cited one area of progress in talks with Italy as his reason for putting off the decision, with Italy agreeing that the injection by IRI, the state holding company, was state aid.

Consultant earnings fall

MANAGEMENT consultants saw their income drop last year for the first time since the 1970s, though they claimed yesterday the worst was now over. In its annual review, the Management Consultants Association said that in the year to December, overall fee earnings fell by 4 per cent to £810 million — the first fall for 20 years. Paul Thornton, president, said: "1993 is obviously not going to be an easy year and any return of business confidence will be on a modest scale."

Banana split destined for European court

By COLIN NARBROUGH, WORLD TRADE CORRESPONDENT

GERMANY, which eats a third of the bananas imported into Europe, has decided to go ahead with a legal challenge to the Community regime for the banana trade over which it was outvoted last month at a meeting of farm ministers.

The complaint to the European Court of Justice is likely to widen the gap on trade issues between Germany and France and make it more difficult to secure French support for the transatlantic deal on farm subsidies — a key element of the world trade talks.

Germany, Belgium and the Netherlands sought to block the new banana rules, which restrict the cheaper, bigger Latin American fruit the three countries have traditionally imported. Bananas from the former colonies and tropical

departments of Britain, France and Spain will continue to enjoy preferential treatment under the convention between Brussels and the developing nations of Africa, the Caribbean and the Pacific.

Bonn has decided to make a complaint to the Court of Justice in Luxembourg. Konrad Adenauer, the legendary post-war chancellor, held up the signing of the Treaty of Rome in 1957 to secure an additional protocol safeguarding Germany's rights to buy Latin American bananas.

The German economics ministry said yesterday that Chancellor Helmut Kohl had approved a decision to take the issue to the court. No date has been set for the formal application to the court, but the spokesman said it is likely to

be made in a matter of weeks. Shares in Geest, the British banana importer and distributor, have risen strongly since the decision in Brussels last month. At the end of last week they fell 4p against a rising market to 452p. Geest, which is heavily dependent on Caribbean bananas, stands to benefit from the new regime.

But banana importers from Belgium, the Netherlands and Luxembourg fear they will lose half of their market and have said they too plan to appeal to the Court of Justice.

The new rules, supposed to replace national import regimes from July 1, will allow the annual import of 2 million tonnes of bananas from Latin America at a low tariff. Shipments above the limit will be charged a punitive tariff.



Seeking met decrease: Chancellor Kohl has approved the banana import regime.

St Paul

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Scottish industry
oppose tax increase

By GILLIAN BROWN

THE government's plan to raise the rate of corporation tax on profits of companies in Scotland has been opposed by the Scottish Conservative Party. The party's spokesman said the increase would be a "disastrous" blow to the Scottish economy. He said the government's plan to raise the rate of corporation tax from 30 per cent to 33 per cent would be a "disastrous" blow to the Scottish economy. He said the government's plan to raise the rate of corporation tax from 30 per cent to 33 per cent would be a "disastrous" blow to the Scottish economy.

Holiday home

By COLIN CAMPBELL

THE government's plan to raise the rate of corporation tax on profits of companies in Scotland has been opposed by the Scottish Conservative Party. The party's spokesman said the increase would be a "disastrous" blow to the Scottish economy. He said the government's plan to raise the rate of corporation tax from 30 per cent to 33 per cent would be a "disastrous" blow to the Scottish economy. He said the government's plan to raise the rate of corporation tax from 30 per cent to 33 per cent would be a "disastrous" blow to the Scottish economy.

BPI uses £20m call to top up war chest

By Sarah Bagnall

ACQUISITIVE British Polythene Industries, Europe's largest producer of polythene film products, is replenishing its war chest with a £20.3 million rights issue.

BPI, which yesterday announced an 18 per cent increase in pre-tax profits to £12.1 million, will use part of the proceeds to fund the purchase of Sonoco Polysack Europe, based in Telford, Shropshire.

BPI is paying £8.4 million for Sonoco, the manufacturer and retailer of in-store polythene packaging products.

Cameron McLatchie, BPI's chairman and chief executive, said that in the short term, the balance of the rights issue proceeds would be used to reduce borrowings from £23 million to £11 million. As a result, gearing would fall to 12 per cent. However, Mr McLatchie said, the figure would rise again. He said: "We are certain to make further acquisitions in the next few months. The priority is to get more businesses under our wing while we can."

The shares fell 2p to 488p, despite BPI's tenth successive rise in dividends. This time, they rose 11 per cent to 10p in line with a dividend, cover policy of two and a half times. Earnings per share advanced 9 per cent to 25.82p.

Operating profits, after £400,000 of redundancy costs, rose 9 per cent to £14.5 million on the back of a £21 million rise in turnover to £177 million.

Including Sonoco, BPI has made nine acquisitions, spending a total of £35.9 million since October 1991, when it last made a cash call to raise £15.5 million.

Mr McLatchie said the increase in pre-tax profits from £10.3 million to £12.1 million for the year to end-December 1992 was purely due to the acquisitions. He added that: "Potentially, less than half of the acquisition benefits have come through. We could see the rest come through this year or next."

Mr McLatchie said that difficult trading conditions were expected to continue, but that the company's recycling business would start contributing to profits soon — possibly during this year. If the recent rise in polymer prices were to continue.

BPI also announced that £3 million to £4 million of surplus machinery from Sonoco and its other operations is to be shipped to China, where BPI is setting up a joint venture — a labour-intensive manufacturer of light gauge in-store retail packaging.



Bristol & West to sell estate agency offices

By Lindsay Cook
Money Editor

■ The building society expects repossessions to be high in 1993 but says arrears will fall, while housebuying activity is up about 10 per cent year on year.

THE Bristol & West Building Society has put most of the Hampton estate agency up for sale, two years after it bought it. The tenth largest society is selling 70 of the 104 Hampton branches plus 23 Bristol & West Property Services branches.

The international and more prestigious offices of Hampton will be retained together with 27 of the property services branches. The society appeared confident that it could find a buyer for all 93 branches together. It would not say the price it paid for the Hampton offices in September 1990 or the losses made by the estate agency.

The tenth largest society yesterday reported its pre-tax profits last year had almost halved to £39 million after a 200 per cent increase in its provisions to £74.1 million. In 1991, provisions of £2.9 million were originally reported but these were later restated at

£24.5 million. The second half of 1992 was better for the society with profits of £26 million, twice the first half figure.

Tony FitzSimons, chief executive said: "Two specific factors worked against us last year: the geographic proportion of our mortgage lending originating in 1989-90. Leading during these years, when house prices were relatively high, has yielded high levels of repossessions throughout the industry. These factors had a disproportionate impact last year, and our policy during 1992 of seeking arrangements with borrowers rather than repossessions meant a rise in arrears over 12 months."

At the end of the year the society had 2,000 properties in possession. Most of these

will have been disposed of by the middle of the year through a business expansion scheme and other sales, Mr FitzSimons said.

The society expects repossessions to be high during 1993 but for arrears to fall. It has seen more housebuying activity through its estate agents and branches. Mr FitzSimons said: "It is not yet a normal market. It is something like 10 per cent up on the same period last year."

During the year its assets increased by 8 per cent to £7.7 billion and its cost-income ratio fell from 53 per cent to 50.2 per cent. Mortgage advances fell from £1.3 billion to £1 billion.

■ The Alliance & Leicester, the fourth largest society, reported a 23 per cent increase

in its pre-tax profit to £122.5 million last year. Just over half the profit came from Girobank, which contributed £64.4 million, compared with £49 million in 1991.

Its provisions for bad and doubtful debts increased from £315 million to £326 million. The number of residential borrowers who are in arrears by more than 2.5 per cent of their mortgage balance fell during 1992.

During the year, the society, with assets of £20.5 billion, lent £1.26 billion, less than half the 1991 level.

Peter White, group chief executive said: "At this time last year, I looked forward to profit growth resulting from a much needed and long awaited return of confidence in the economy, and in the housing market in particular. The economy did not improve but I am very pleased to report that our pre-tax profits still increased significantly and that our provisions for bad and doubtful debts have stabilised."

Time to grow: Marcus Margulies, above, chairman of Time Products, the watch and jewellery distributor, has strengthened his company's grip on American luxury handbags and Swiss watches (Jon Astworth writes). The company, which distributes the Sekonda and Longine brands, is paying \$17 million for Judith Leiber, the New York handbags and accessories group. Time is also paying \$2 million for a 5 per cent stake in Audemars Piguet, the Swiss watchmaker. The company has distributed Piguet watches in the UK for a number of years, and distributed Judith Leiber handbags here since 1991. Judith Leiber will remain president of the company she founded 30 years ago.

Union fears loss of 2,000 jobs at Rolls-Royce

By Philip Bassett, Industrial Editor

ROLLS-ROYCE, the aero engine manufacturer, is to announce heavy job losses this week, union leaders said yesterday. Union officials said about 2,000 jobs could be cut.

City analysts expect Rolls-Royce to register an increase in profits on its figure of £51 million for last year when it announces its final on Thursday. The market expects a profit increase of up to £25 million, but analysts believe that the dividend will be cut.

Union officials said that reports had been received from inside the company that it was likely to accompany its figures by announcing about 2,000 redundancies. Some estimates from within the company put the cuts as high as 3,000.

While the MSF general technical union, which claims about 10,000 members at Rolls-Royce, had no details available about the breakdown of likely job cuts, most of the redundancies the union has been told about privately are likely to be in the technical and professional areas. About

800 of the jobs could go at the company's Bristol plant.

Tim Webb, MSF national officer, said: "Shedding such a large number of highly-skilled people will put the company's technological future at risk and damage chances of recovery. Getting rid of professional engineers may impress the City, but it will also please the company's overseas competitors."

Rolls-Royce has been hit hard by the world downturn in civil aircraft and by defence cuts. However, it is hoping TWA will buy Airbus 330s, powered by R-R's new Trent engine.

The company would make no response to the union's claims, other than to say: "We do not comment on speculative stories in advance of our results."

■ The Employment Policy Institute, a pressure group, yesterday launched a campaign called Full Employment Year under which it hopes to persuade the main political parties to adopt policies which will support full employment.

Company failures topped 7,500 last year

By Our Industrial Editor

BUSINESSES in Britain are continuing to fail and there is as yet no evidence of a recovery in the economy, according to the latest charting of the number of companies going out of business carried out by Trade Indemnity, the credit insurer.

Trade Indemnity's findings about the actual number of businesses continuing to fail contrasts sharply with the increase in business confidence mentioned by John Major, the prime minister, and reported in a number of business surveys.

The Trade Indemnity figures show business failures for the final quarter of last year to be virtually unchanged from

the previous quarter. The third quarter saw 1,760 failures, compared with 1,762 in the final three months.

Trade Indemnity said that with 30 per cent of companies now working at half capacity "there appears to be no evidence of recovery in the UK economy".

While the total number of failures of 7,507 in 1992 marked a small decrease of almost 4 per cent on 1991's unprecedented level of 7,807, Trade Indemnity said that prospects for recovery remained weak, since the scale of failures carried with it the danger of businesses being unprepared for any upturn in the economy.

Scottish industrialists oppose tax increases

By Gillian Bowditch, Scotland Correspondent

THE government is likely to face strong opposition from Scottish industry if the Chancellor decides to increase personal or company taxation in his Budget. A survey by Price Waterhouse, the accountant, shows that Scottish businesses are not prepared to countenance an increase in taxation to help bring down the deficit.

Ian Dewar, senior tax partner of Price Waterhouse in Scotland, says: "The Scottish business community is saying 'we did not get the economy into a mess, so why should we pay to get it out?' They realise the government is under pressure to raise more money but

they do not believe they should be the source."

The survey of about 250 businesses showed that only 12 per cent were willing to see an increase in the basic rate of corporation tax with almost a third saying that the current rate of 33 per cent should be cut. A quarter supported the idea of an increase in capital gains tax but more than a third wanted to see CGT at a lower rate and 13 per cent wanted it abolished.

The only area they would support a rise in taxation is the removal of the zero VAT rate on newspapers, magazines, books and transport services.

Close nears Winterflood deal

By Philip Pangalos

CLOSE Brothers Group, the merchant bank, has confirmed that talks are advanced with Union Discount over the possible sale of Union's majority interest in Winterflood Securities, its market-maker.

The news follows reports in *The Times* last week that Union was selling Winterflood to Close as part of a restructuring. The price is understood to be more than £15 million. But some in the City feel that is on the low side, given Winterflood's ability to generate profits even in hard times.

Union said at the end of last week that talks over the possible disposal of the entire group had been abandoned. Many in the City see the sale



Blunden: looking forward

of Winterflood as an attempt to bolster Union's balance sheet, and brighten its prospects as an independent company. George Blunden,

brought in as Union's chief executive last June, said: "We are happy with the terms of any likely deal that might occur and are looking forward to getting on and moving forward to better times as an independent company."

The Winterflood operation should carry on as before, though a deal may involve board representation for Close.

Brian Winterflood, managing director and founder of Winterflood Securities, said of the proposed deal: "We are absolutely delighted. We will carry on as we were. It's good for us and it's good for the City. Business has been good and continues to be so."

Union shares rose 5p to 89p, and Close's 2p to 340p.

Holiday homes go under hammer

By Carl Mortimer

TRAFALGAR House Europe Resorts is calling in Kennedy-Wilson, the American auction-marketing specialist, to conduct a rapid sale of 97 holiday homes in the Algarve.

The company, a subsidiary of Trafalgar House, the troubled construction and property group, hopes to raise £7 million after an eight-week marketing drive.

The auction is to be held at the Vilas do Golf resort at Quinta do Lago in Portugal on May 2. It will be preceded by "how to buy" seminars held throughout the UK and in Europe.

The intensive campaign, which the organisers anticipate will involve 20,000 to 50,000 telephone calls, is focusing on the resort's four nine-hole golf courses where Bernard Gallacher, the Ryder Cup captain, is golf consultant. Aubrey Glaser, managing director of Kennedy-Wilson UK said: "We make it easy for purchasers to buy the



Auction stations: John Low, of Trafalgar House Europe Resorts, with Aubrey Glaser

holiday home of their dreams. The homes will have reserve prices, and the cheapest unit's reserve is set at £50,000. According to the developer, that represents a 47 per cent drop on the list price. Kennedy-Wilson requires po-

tential buyers to register in advance.

Bidders, or their representatives, must arrive on the day of the auction with a bankers' draft for £10,000. According to Mr Glaser, this is to ensure that bidders are serious. Tra-

falgar announced that it was pulling out of its European resort operations last month when it launched a £204 million rights issue to strengthen its balance sheet, badly hit by write-downs on property development.

Europe's No1 debt firm improves 26%

By Our City Staff

INTRUM Justitia, Europe's largest debt collection agency, yesterday reported a 26 per cent rise in pre-tax profits to £16 million for calendar 1992 due to a £3.6 extraordinary credit and increased profits from core businesses.

A legal decision in Sweden, which ruled that Intrum can claim a full-fee entitlement for written-off debt surveillance cases, resulted in the release of a £3.6 million provision. The company said the treatment was consistent with FR 3, which the company has adopted for its 1992 results.

Offsetting the benefit was a £1.1 million restructuring and reorganisation charge, linked to property and personnel. Intrum also wrote off £1 million of goodwill.

The final dividend was increased from 1.6p to 2p, making a 25 per cent rise in the total dividend to 3p.

* FINAL OFFERS

Closing Date
for Acceptances
1pm Tuesday
16 March 1993*

Shareholder
Owners Abroad
Group PLC

BY BZW AND BRITISH LINEN BANK ON BEHALF OF AIRTOURS PLC FOR

OWNERS ABROAD GROUP PLC

CLOSING DATE FOR ACCEPTANCES: 1PM TUESDAY, 16 MARCH 1993*

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Spain's running bulls have been stopped in their tracks

Edward Owen examines how the Spanish economy, the fastest growing in Europe in the late-1980s, has moved so rapidly into reverse

Just five years ago Spain was the infant prodigy of Europe with its fastest growing economy. Britons joined the rush of foreign investors who poured money into the small Madrid stock market, bought commercial property, acquired Spanish companies and splashed out on second homes on the Costa.

But instead of ushering in a new golden age, last year's Olympic Games in Barcelona and the Expo in Seville appeared to end Spain's boom in spectacular fashion. Record public-sector deficits, soaring unemployment and corruption hit the headlines. Was the Spanish boom just a flash in the panella that has left the larder bare or can the same appealing fare be offered again? Why did it all go so horribly wrong and have any lessons been learnt?

Rafael Martínez Corfía, president of Banco NatWest in Madrid, says: "The first reason for the crisis is that the Spanish economy has been more open and exposed to the international situation than at any time before, and the second is that the government's economic policy has not been right. The socialists have just stuck to a monetary policy, keeping interest rates high and the peseta strong. With no fiscal policy, it's been very limited."

While foreign investors and Spaniards were staking a claim to future prosperity after Spain joined the EC in 1986, Felipe González, the prime minister, became obsessed with EC convergence. Señor González, who won a third successive election victory in 1989, chose not to balance the government's books and thus encouraged Spaniards to live beyond their means. He and Carlos Solchaga, his finance minister, are determined to drag Spain into the first-class compartment of the EC train. But the boom only meant that Spain, for decades cushioned against foreign competition by government subsidies and import tariffs, finally had a chance to catch up with her richer partners. But there is still not enough in the kitty for a first-class ticket.

In 1987, Spain's GDP growth peaked at 5.6 per cent, the highest rate in the EC; the peseta was the strongest currency in Europe and the country was one big construction site, partly for the 1992 fiestas. Foreign investors were led by the Kuwait Investment Office (KIO), Barings, Mercury Asset Management, Morgan Grenfell and Barclays. Richard Ellis and Healey and Baker rented out prime office space in Madrid at 6,000 pesetas (then about £37) per square metre per month, the fifth highest for a capital city, and while Britons with lower interest rates competed for sunny boltholes on the Costa, Abbey National was introducing Spaniards to long-term endowment mortgages.

About 100 British companies, led by Guinness, Cadbury Schweppes and



Prophet of boom: Felipe González is obsessed with EC convergence.

Marks and Spencer, bought out Spanish companies and set up shop. British banks expanded and British people flocked to work in the booming financial markets. But the British invasion typified an insatiable demand for foreign consumer goods that could not be satisfied by home production.

The economy overheated as inflation increased, the trade deficit became the world's second largest after the United States, labour costs escalated and profits were not ploughed back into industry. When the rot set in last year many foreign investors quit, in particular KIO, accused of bankrupting several Spanish companies, leaving the twin 22-storey towers of Madrid's largest office development half built. Confidence in the peseta plummeted and it was devalued twice last year — by 5 per cent and 6 per cent — making imports more expensive. A third devaluation is likely and, more seriously,

polling out of the ERM, as Britain has, could be a last resort measure.

The Madrid stock market index has fallen from its high of over 300 in 1987 and 1989 to below 200; the prices of villas on the Costa, where roughly 400,000 Britons own property, have slumped by up to 50 per cent; GDP growth was below 1 per cent last year and will be negative this year. Last year, there was a record current account deficit of \$20.6 billion, or 4.1 per cent of GDP, and a record fall in industrial production of 1.7 per cent. Tourism, which once bridged the trade deficit, fell from 10 per cent of the GDP to 8.7 per cent (6.5 million Britons visited Spain last year, a 6 per cent increase); car sales fell 52 per cent in January and 30 per cent last month; the budget deficit reached \$17 billion, 6 per cent of GDP.

Gonzalo Chavarr, of stockbrokers Barclays De Zoete Wedd in Madrid,

says: "The public deficit is the most worrying aspect of the Spanish economy right now because it is out of control. We forecast only a slight reduction in 1993 and the economy will continue to decline."

But the statistic which has finally woken Spaniards up to their post-1992 hangover is that unemployment is now 20.6 per cent, or 3.05 million, and will be 3.4 million at year's end. With the Socialists destined to lose their majority in elections due by November, Señor González has been galvanised to stimulate growth and create jobs by introducing emergency measures, presented to a stormy parliament last week. They include plans to build roads and improve water supplies, and the easing of labour laws. Jose Maria Aznar, the conservative opposition leader, compares the proposals to curing cancer with aspirin, and unions and employers are just as scathing.

Worse, the morale of Spaniards, a proud Mediterranean race who can work miracles when inspired, has been sapped. David Phelan, deputy managing director of Abbey National in Spain, reports a fall off in the demand for mortgages, with real interest rates running at 9 per cent. Oliver Hare, a director of S.G. Warburg España, comments on falling stocks: "We ain't seen nothing yet." Jorge Hay, chief economist at Banco Central Hispano, says the government cannot introduce the "bestly measures" that are really necessary because they would lose votes. But neither is Señor González prepared to root out blatant corruption that has plagued his party, under investigation for receiving millions of pounds in illegal donations from companies and banks, mainly in return for favours.

Spain's facade for the EC is flawed by the socialists' incompetence at running the public services — especially the post office — and a bloated bureaucracy. All the party faithful have top positions and during their 11 years of rule 600,000 out of 800,000 new jobs were for civil servants. One in five salaried employees work for the state compared to one in eight at the end of Franco's regime in 1975.

But in spite of the current crisis, there is hope. Nicolas Sartorius, communist spokesman for the United Left party, which the unions now support in preference to the rightist Socialists, says that Spain's thriving black economy accounts for 25 per cent of the unemployed. He demands: "There has to be a social pact between the government, the unions and the employers."

Analysts say there will be no upturn until the end of 1994 and only if public spending is curbed. Señor Martínez Corfía claims: "Spain is not now a good country for short-term investment but it is a time of great potential for the longer term." Mr Hare predicts the stock market will revive with the partial privatisation of Repsol, the oil concern, Argentina, the state bank, and other state companies.

Ken Brown, publisher of *Lookout*, Spain's leading English language magazine, says: "It's a bargain property market. With the fall in interest rates in Britain, sales have just started to move after three years. It's been a sharp, hard lesson for everyone — but we still have the sun."

TEMPUS

Nikkei niceties

THERE is a hint of perversity about yesterday's 869-point rise in Tokyo's Nikkei index, on a day when the publication of the quarterly Tankan survey by the Ministry of Finance confirmed the most pessimistic fears of economists. Dealers pointed to technical buying linked to settlement of the March futures contract, which expires at the end of this week.

Investors may have taken the Tankan survey as confirmation that the official discount rate will be cut again soon, this time to 2 per cent, as the government strives to pump life into the financial markets. The market also now expects the government to come out with a 10,000 billion yen package of capital spending and tax incentives next month, with further tax rebates due to be announced this summer. These will be

needed to reverse the forecast fall in capital spending. According to the Tankan survey, investment will be cut by more than 4 per cent in the next financial year, after a 5 per cent reduction this year. Even unemployment is now threatening to grow since a rising number of companies report excess labour. By year end it could breach the historic high of 3.1 per cent set in 1986.

At least the Tankan survey still predicts a rise in corporate profits next year, although this may be over-optimistic. Even so, the rise will be modest and means that the Nikkei index is selling at about 60 times prospective earnings. While Japanese investors are not renowned for value investing, that sort of rating could restrain any further rise in the Nikkei index even if the discount rate continues to be pared.

Emerging markets

VENEZUELA and Colombia hardly sound most secure locations for a nest egg, but such are the vagaries of investment fashion that their stock markets outperformed all others in the past two years, offering fivefold returns.

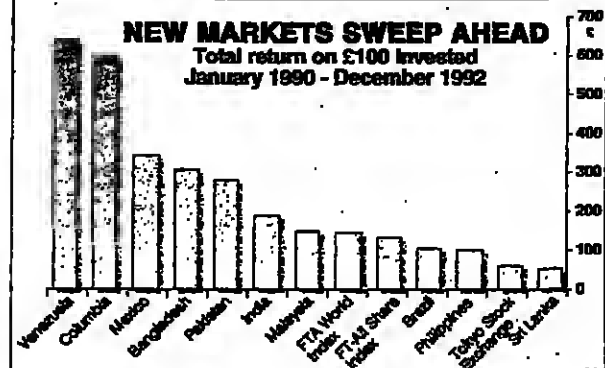
The success of these and other such markets has enhanced the demand for emerging markets funds. No fewer than three are currently raising fresh finance. Yesterday, Templeton Emerging Markets (TEMIT) became the latest to announce a share issue.

Emerging markets have a reputation for risk and volatility, but in some cases the dangers are overstated. While the markets may be new, the companies that trade on them are often well

established. Privatised banks and utilities dominate. There are now 22 stock markets around the world classed as emerging, with a total capitalisation of \$740 billion, more than the German and French markets combined.

The largest gains are made when a market first opens to foreign investment. But the above-average GDP growth

of emerging countries suggests these markets should continue to generate superior returns. Meanwhile, markets are still opening, with Tunisia and Morocco poised to be next. While these markets continue to develop and reward investors handsomely for the additional risk, emerging market funds are likely to remain in vogue.



Owners Abroad

THE real issue confronting Owners Abroad shareholders over the hostile bid from Airtroups is unaffected by Thomas Cook's tender offer for a 12.5 per cent stake in their company. Although the deal is financially more attractive than the one negotiated last year, the strategic rationale remains the same.

If Thomas Cook had really wanted to change events, it should have come in with a full bid. The tender looks a spoiling tactic rather than an attempt to shape events.

Even as a spoiler, it does not really make sense. The minority shareholding is too small and the offer price of 150p a share too low to have any impact. That is only 6p more than the paper value of the Airtroups' offer and there is no guarantee what price shareholders would get in the open market for their remaining holdings.

For Thomas Cook, yesterday's offer could be a two-way bet. The group has shown its support for Owners Abroad management yet has not needed to produce any money upfront. If Airtroups

succeeds, the way is still clear for Cook to enter into some arrangement with the enlarged group. Owners Abroad shareholders should ignore this manoeuvring and decide whether to accept a finely priced offer.

TDG

As one of the first transport companies to go into recession, TDG should also be one of the first to emerge. According to the group's downbeat statement, that is far from the case.

Excluding a £17 million provision in 1991, pre-tax profits were slightly down in 1992 and little improvement is expected this year. This does not simply reflect the state of the economy; it reflects TDG's strategic mistakes.

Too much of its business has been in low-margin general haulage, which has forced it to compete with small outfits with low overheads. NFC was quicker to realise the disadvantages of being a big company in a market which favours the small. NFC concentrated on distribution contracts with

higher added value, where there are higher barriers to entry.

TDG is now expanding in this sector, but its financial performance would have been better if it had started before the recession.

British Vita

The 7 per cent fall in British Vita's share price was the market's belated recognition that the group's high exposure to continental Europe has become a liability. Vita has traded through the recession almost unscathed since almost two thirds of its sales and operating profit come from the Continent.

Pressure on margins is rising and the group will struggle to maintain profits in the first half. Management's innate caution has prevented it spending last year's £73 million rights issue, so earnings dilution of up to 10 per cent looks inevitable.

Despite yesterday's fall, the shares still sit at a premium p/e rating of more than 15, so they may have further to fall short term before the group's fundamental strength reasserts itself.

THE TIMES CITY DIARY

Supermarket for funerals

ONE-STOP shops for do-it-yourself funerals could soon be in this country. The man behind the funeral supermarkets is Michel Leclerc, the French entrepreneur who runs 189 funeral parlours and 45 supermarkets where you can pick headstones, coffins and fill trolleys with granite angels, urns and even the odd spray of artificial daisies. Leclerc, who reckons that smart shoppers can cut the cost of a funeral by half, moved into the undertaking scene after the funeral business in France lost its monopoly status under a new law. Sensing one of the best new ideas in the business world — at least custom is unlikely to dry up — Leclerc is now planning to open 100 more supermarkets in France, and a further 25 throughout Europe. His next stop could be to take the business in America. The French, who like the pomp and ceremony of funerals, are coming round to the idea. A poll has shown that three out of every four French citizens are in favour of the funeral supermarket.

Debt solidarity

ON THE same day as Barclays Bank reported £242 million in pre-tax losses, Hanna Suchocka, Poland's prime minister, probably felt she needed her bodyguards when she strode up to the podium as guest speaker at a conference on investment in Poland, organised by the Confederation of British Industry. With her country's debt to overseas

banks at \$12.2 billion, we are told that representatives of Barclays were murmuring unhappily that the bank is one of those creditors that have not received a single penny of interest from Poland since January 1990.

Under contract

MEANWHILE, desperate to avoid further property-related losses, the big banks are assembling pools of contractors to enter into mergers, asset transfers and equity swaps with firms that could face insolvency. The Midland, Barclays, and The Royal Bank of Scotland are among the banks involved. Derek Sach, director of specialist lending services at The Royal Bank of Scotland, is one of the instigators of the trend. "We have done several deals of this kind. My role is to find innovative methods of solving problems, and we are working with a handful of contractors with strong financial positions." Industry watchers may be surprised that any such com-

panies still exist, but Sach explains: "They are a mixture of quoted and smaller companies that we have come across, who didn't dabble in speculative projects a few years ago."

Eye for investment

THE Welsh, who have more than their fair share of top jobs in the water industry, are proving the most canny in a national investment competition in *What Investment* magazine — by virtue of heavy investment in privatisation stocks and utilities. The competition started in April 1992 and ends this month. Entrants predicted which ten FT-SE stocks would perform best over the year, and the winner over the first two quarters was Brian Roberts, of Powys. At the end of the third quarter, though, Roberts was just overtaken by the canny predictions of Wendy Oliver, of Aberystwyth. One reason why they are so close is that they have chosen many of the same stocks, including Anglian Water, BT, PowerGen and Severn Trent Water. John Sheriff, managing director of the fund management arm of the competition's sponsor, Laureate Fund Management, says: "At the end of nine months, Ms Oliver's initial investment of £10,000 was worth £14,000 whilst Mr Roberts' portfolio was standing at £13,887. It is likely to be a very close run thing."

OVERHEARD at a business conference: "Of course, you can tell she's a career girl — she's got those boardroom eyes."

WENDY VAIZEY

Banks, firms and interest rates

From Mr Ian Bryant
Sir, In the course of reporting his bank's dismal figures last week, the chairman of Barclays remarked that his increase in charges to small businesses had been offset by lower base rates, thereby demonstrating a cynicism and glibness worthy of Sir Humphrey.

The Chancellor of the Exchequer has been struggling to lower interest rates to help businesses, not to boost income of a bank that gambled its funds away in the property sector.

When I began in business with few assets 30 years ago, I

paid 1½ per cent over base. Over the years, this increased to 2½ per cent and then last year jumped to 4 per cent, in spite of my being a sounder risk than I was when I started.

Over the same period, technology must have drastically reduced banks' operating costs, so why have they been permitted to increase their slice of the cake to the detriment of both borrowers and lenders?

Yours apologetically,
IAN BRYANT,
Hipping Hall,
Cowan Bridge,
Kirkby Lonsdale,
Cumbria.

Chasing a 28p debt with a flow of 21 letters

From Mr Nigel Curzon
Sir, I note with interest (March 3) the fees, to date, of £82.1 million paid to Touche Ross, as provisional and joint liquidator of BCCI, in its attempt to "protect the bank's assets", with maximal payments to creditors.

In July 1989, I accepted the offer of a "charity" credit card from a society, it received £5 and a small percentage of the account, I got a free personalised card, ideal for keeping my business petrol expenses separate from my personal expenditure.

Around Christmas 1989, the BBC World Service carried a report of drug money laundering, followed by an article in *The Thunderer*, and after finding the distribution of bank's branch network, I cut up my card and paid off the statement. My remittance arrived a day or two late and I was billed interest, of 28p, for the full amount, for a full month.

in provisional liquidation, the August one warning not to use the card and a letter of February 5, 1991, (sent under separate cover) explaining that the bank had been in compulsory liquidation from the January 14, 1992.

Still the statements arrive. I would not buy a stamp and write a cheque, totalling about a pound, for a 28p debt, my conscience easily rested by a donation to the Salvation Army.

Perhaps there is something that accountants know about commerce and "protecting assets" that justifies 21 postings with the hope of collecting 28p, which after deducting their bank charges will probably be of negative value.

Perhaps one of the senior partners would like to pen this in for a day's work in say March 1994?

Yours faithfully,
NIGEL D. CURZON,
Curzon Communications,
Consultants and
System Suppliers,
PO Box 7573,
Southampton.

Shareholder representation

From Mr Noel Falconer

Sir, Graham Searjeant (February 24) and not Tony Drury (March 2) is correct: the ignorance of the public about direct share ownership matters little while its benefits are denied by companies that regard the individual investor as an irritating irrelevance.

They do. My own efforts to add a small shareholder to the boards of firms with enormous memberships have met opposition ranging from courteous discussion to marginally legal, utterly unethical obstruction; but opposition there has always been.

They are right. First, that individuals irritate. Though this is their great advantage it is surely beneficial to an organisation that its policies be challenged, that concerns are voiced and injustices exposed.

Then, that individuals are irrelevant. Institutional mega-voting combines with our proxy system to overwhelm their best efforts, they lack the slightest power so can safely be ignored.

This is what must be changed. And the means are to hand! Some of the non-executive directors could be elected by allowing each shareholder, rather than each share, a vote. By the same universal franchise employed in the election of the members of Parliament who must effect this change.

Yours sincerely,
NOEL FALCONER,
223 Bramhall Moor Lane,
Hazel Grove,
Stockport.

Letters to *The Times* Business and Finance section can be sent by fax on 071-782 5112.

Maastricht and foreign investment

From Professor Douglas McWilliams

Sir, Your correspondent, Philip Bassett, has slightly misinterpreted (March 4) the study which my colleagues and I prepared for the CBI on foreign investment and the UK's links with the EC.

What the study shows is that if the UK were to fail to ratify Maastricht only half the foreign investors would be unaffected. Of the rest most expect that there would be "some" effect on investment and 13 per cent of Japanese investors expect a "major" effect.

As inward investment is so crucial to the UK, accounting for 78 per cent of total investment in the oil sector, 28 per cent in finance and 19 per

cent in the rest of the industrial and commercial sector, these impacts are far from negligible, though they are out of line with some of the more apocalyptic claims that have been made. The Maastricht debate has become so confused by wild allegations and exaggerated claims on all sides that a serious study that gives a realistic and sober assessment of the impact is in danger of being discounted.

It would be a pity if this were so and the debate continued to be based on misinformation. Yours faithfully,
DOUGLAS MCWILLIAMS
(Chief Executive),
Centre for Economics and
Business Research Ltd,
18 Kent Terrace, NW1.

Company law and the payment of tax

From Miss Roisin Kearns

Sir, It is surprising that more people do not take advantage of our wonderful company law. All you have to do is to buy a company off the peg for a few pounds after which payment of debt and taxes becomes optional. The half-hearted stabs at curbing the excesses of company directors have had no success whatever.

The reason why private

limited companies are formed may be fraudulent, but the tax authorities are, apparently, satisfied with their rich harvest from PAYE, and our Conservative governments have rather a soft spot for enterprising buccaneers who themselves decide how much, if any, tax and debts they should pay.

Yours sincerely,
ROISIN KEARNS,
20 Archbishops Place, SW2.

THE TIMES RENTALS

LOOKING TO RENT OR WANT TO RENT YOUR PROPERTY?
RENTALS APPEAR EVERY WEDNESDAY
TO ADVERTISE PHONE

071-481 1920
071-481 4000

BSE Other				ASX Other				BSE Other			
ASBESTY UNIT TRUST MANAGERS				CAPEFIREX MYERS UNIT TRUST MANAGERS LTD				Jagun Investment			
8345 117373				25 Foundry Lane, Manchester M22 4AT				4810 93.10 - 0.20			
International 77.24 77.24				Tel: 0161 234 5562				Sun Ship Strategy 469.10 47.10 - 0.20			
Global Growth 111.80 119.20 - 1.20 1.41								4810 93.10 - 0.20			
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Global Equity 64.72 68.36 - 0.52 0.23								4810 93.10 - 0.20			
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10 Queens Terrace, Edinburgh AB9 1JQ				1795 St James Street, Manchester M2 4AT				4810 93.10 - 0.20			
0204 633678				0161 234 5562				4810 93.10 - 0.20			
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FT-SE VOLUMES		NEW YORK (midday)	
Abbey Natl	3,300	Don Jones	39,344 (+34)
Alfa Romeo	1,500	S&P Composite	450.99 (+4)
Alitalia	2,500		
Anglian W	461	Telcel	176.86 (+8.63)
Angill G	300		
Arjo Widen	1,400	Hong Kong	6482.16 (+20)
AB Foods	508	Hong Kong	6482.16 (+20)
BAW	1,100	Amsterdam	102.8 (+)
BAT Inds	340	Sydney: AO	101.7 (+)
BOC	739	Frankfurt	1694.82 (+12)
BRE	8,400		
BT	6,600		
BTB	1,100		
BTI	5,000		
BK of Scot	5,000		
Barclays	1,500		
Bell	1,500		
Blue Circle	1,500		
Boats	1,500		
Bovis Lend Lease	1,700		
Brit Airways	1,200		
Brit Cel	7,500		
Brit Steel	6,000		
Burmah Gas	933		
Cable Wire	1,100		
Castle 3000	2,000		
Carlson Cels	158		
Cons Vty	1,500		
Coulters	1,200		
De La Rue	445		
Eng China C	625		
ENR	508		
Fluor	4,000		
FORE	3,000		
GORE	1,000		
GUS A	106		
ICI Acc	604		
Gen Elec	4,100		
Glaize	1,100		
Granada	1,500		
Guinness	2,500		
HSBC	4,900		
Hanson	4,700		
Imperial	2,800		
Inchcape	625		
Kingsfisher	1,800		
Kwik Save	86		
LASMO	5,400		
Ladbroke	460		
Land Secs	463		
Lloyd B & G	382		
M&B Cardn	443		
Mar Scot	5,300		
Natcel	1,600		
Nat Power	2,100		
Nth Wst	956		
Nthm Fds	2,700		
PA	1,200		
Peatson	1,100		
PowerGen	2,000		
Prudential	2,300		
RTZ	1,400		
Rank Org	1,100		
Reckitt Col	1,200		
Redland	1,100		
Reed Int	531		
Reynolds	1,100		
Reuters	331		
Robthams	725		
Ryl Int	2,200		
Ryl Bk Scot	1,600		
Sainsbury	1,100		
Sat Hydris	1,100		
Scott & New	2,100		
Scott Power	1,800		
Sears	3,300		
Shelk Trans	2,600		
Slater	700		
Smith Bks	3,900		
Smiths	3,900		
Smiths (Wh)	370		
Stann Elex	469		
St Charles	1,100		
Stn Alintec	1,300		
TI	430		
TG	4,300		
Tait & Lyle	2,100		
Thames	660		
Thorn EMI	1,100		
Traill	1,100		
Unilever	1,200		
Utd Bic	2,300		
Vodafone	1,700		
Wellcome	885		
Whitaker W	1,700		
Wilms Ind	910		

[illegible]

Exchange index compared with 1985 was down at 77.6 (day's range 77.3-77.6).				
Mkt Rates for March 8				
	Range	Close	1 month	3 months
Asterdam	2.6860-2.7056	2.7022-2.7056	7 1/2-8 1/2	11-12 1/2
Brussels	1.09, 1.049-1.08	1.0848-1.0938	6-6 1/2	9-10 1/2
Copenhagen	9.1760-9.2390	9.2170-9.2390	7 1/2-10 1/2	20 1/2-22 1/2
Dublin	0.9900-0.9930	0.9904-0.9925	6-6 1/2	27-31 1/2
Frankfurt	2.3892-2.4084	2.3922-2.4084	6-6 1/2	10-11 1/2
London	210.61-211.40	220.95-221.40	165-166 1/2	458-501 1/2
Lyons	170.51-171.40	170.51-171.40	158-190 1/2	368-1126 1/2
Madrid	2268.90-2268.70	2279.00-2287.80	10-11 1/2	26-30 1/2
Montreal	1.7898-1.8038	1.7990-1.8011	0.16-0.05 1/2	0.26-0.10 1/2
New York	1.4361-1.4430	1.4470-1.4480	0.41-0.48 1/2	1.06-1.09 1/2
Oslo	10.1450-10.2060	10.1750-10.2020	7 1/2-8 1/2	7 1/2-8 1/2
Paris	8.1140-8.1160	8.1140-8.1160	3 1/2-4 1/2	10-11 1/2
Stockholm	10.9790-11.1160	10.9790-11.0200	21-25 1/2	50-55 1/2
Tokyo	168.48-169.61	168.72-168.91	1 1/2-1 1/2	1 1/2-1 1/2
Vienna	16.8-16.86	16.8-16.86	2 1/2-2 1/2	6 1/2-7 1/2
Zurich	2.2117-2.2285	2.2252-2.2285	4 1/2-5 1/2	10-11 1/2
Source: Eurol				
Premiums - pr. Discount - dc.				
Argentine peso 1.4420-1.4454				
Australia 1.4170-1.4180				

FUTURE OPTIONS																	
	Calls				Puts					Calls							
	Series	Mar	Apr	May	Jun	Jul	Aug	Nov		Series	Mar	Apr	May	Jun	Jul	Aug	Nov
Alld Term	550	40	58	65	5	22	39		BAA	750	23	45	65	10	14	27	35
Alld 500	550	14	29	30	25	47	19		B794	800	24	39	53	38	52	60	
Alld 312	550	17	31	32	24	41	11		BAT 121	800	24	39	53	38	52	60	
Alld 100	550	17	31	32	24	41	11		B795	800	24	39	53	38	52	60	
Alld 50	550	17	31	32	24	41	11		B796	800	24	39	53	38	52	60	
Alld 25	550	17	31	32	24	41	11		B797	800	24	39	53	38	52	60	
Alld 12 1/2	550	17	31	32	24	41	11		B798	800	24	39	53	38	52	60	
Alld 6 1/4	550	17	31	32	24	41	11		B799	800	24	39	53	38	52	60	
Alld 3 1/4	550	17	31	32	24	41	11		B800	800	24	39	53	38	52	60	
Alld 1 1/2	550	17	31	32	24	41	11		B801	800	24	39	53	38	52	60	
Alld 3/4	550	17	31	32	24	41	11		B802	800	24	39	53	38	52	60	
Alld 1/4	550	17	31	32	24	41	11		B803	800	24	39	53	38	52	60	
Alld 1/8	550	17	31	32	24	41	11		B804	800	24	39	53	38	52	60	
Alld 1/16	550	17	31	32	24	41	11		B805	800	24	39	53	38	52	60	
Alld 1/32	550	17	31	32	24	41	11		B806	800	24	39	53	38	52	60	
Alld 1/64	550	17	31	32	24	41	11		B807	800	24	39	53	38	52	60	
Alld 1/128	550	17	31	32	24	41	11		B808	800	24	39	53	38	52	60	
Alld 1/256	550	17	31	32	24	41	11		B809	800	24	39	53	38	52	60	
Alld 1/512	550	17	31	32	24	41	11		B810	800	24	39	53	38	52	60	
Alld 1/1024	550	17	31	32	24	41	11		B811	800	24	39	53	38	52	60	
Alld 1/2048	550	17	31	32	24	41	11		B812	800	24	39	53	38	52	60	
Alld 1/4096	550	17	31	32	24	41	11		B813	800	24	39	53	38	52	60	
Alld 1/8192	550	17	31	32	24	41	11		B814	800	24	39	53	38	52	60	
Alld 1/16384	550	17	31	32	24	41	11		B815	800	24	39	53	38	52	60	
Alld 1/32768	550	17	31	32	24	41	11		B816	800	24	39	53	38	52	60	
Alld 1/65536	550	17	31	32	24	41	11		B817	800	24	39	53	38	52	60	
Alld 1/131072	550	17	31	32	24	41	11		B818	800	24	39	53	38	52	60	
Alld 1/262144	550	17	31	32	24	41	11		B819	800	24	39	53	38	52	60	
Alld 1/524288	550	17	31	32	24	41	11		B820	800	24	39	53	38	52	60	
Alld 1/1048576	550	17	31	32	24	41	11		B821	800	24	39	53	38	52	60	
Alld 1/2097152	550	17	31	32	24	41	11		B822	800	24	39	53	38	52	60	
Alld 1/4194304	550	17	31	32	24	41	11		B823	800	24	39	53	38	52	60	
Alld 1/8388608	550	17	31	32	24	41	11		B824	800	24	39	53	38	52	60	
Alld 1/16777216	550	17	31	32	24	41	11		B825	800	24	39	53	38	52	60	
Alld 1/33554432	550	17	31	32	24	41	11		B826	800	24	39	53	38	52	60	
Alld 1/67108864	550	17	31	32	24	41	11		B827	800	24	39	53	38	52	60	
Alld 1/134217728	550	17	31	32	24	41	11		B828	800	24	39	53	38	52	60	
Alld 1/268435456	550	17	31	32	24	41	11		B829	800	24	39	53	38	52	60	
Alld 1/536870912	550	17	31	32	24	41	11		B830	800	24	39	53	38	52	60	
Alld 1/1073741824	550	17	31	32	24	41	11		B831	800	24	39	53	38	52	60	
Alld 1/2147483648	550	17	31	32	24	41	11		B832	800	24	39	53	38	52	60	
Alld 1/4294967296	550	17	31	32	24	41	11		B833	800	24	39	53	38	52	60	
Alld 1/8589934592	550	17	31	32	24	41	11		B834	800	24	39	53	38	52	60	
Alld 1/17179869184	550	17	31	32	24	41	11		B835	800	24	39	53	38	52	60	
Alld 1/34359738368	550	17	31	32	24	41	11		B836	800	24	39	53	38	52	60	
Alld 1/68719476736	550	17	31	32	24	41	11		B837	800	24	39	53	38	52	60	
Alld 1/137438953472	550	17	31	32	24	41	11		B838	800	24	39	53	38	52	60	
Alld 1/274877906944	550	17	31	32	24	41	11		B839	800	24	39	53	38	52	60	
Alld 1/549755813888	550	17	31	32	24	41	11		B840	800	24	39	53	38	52	60	
Alld 1/1099511627776	550	17	31	32	24	41	11		B841	800	24	39	53	38	52	60	
Alld 1/2199023255552	550	17	31	32	24	41	11		B842	800	24	39	53	38	52	60	
Alld 1/4398046511104	550	17	31	32	24	41	11		B843	800	24	39	53	38	52	60	
Alld 1/8796093022208	550	17	31	32	24	41	11		B844	800	24	39	53	38	52	60	
Alld 1/1759218644416	550	17	31	32	24	41	11		B845	800	24	39	53	38	52	60	
Alld 1/3518437288832	550	17	31	32	24	41	11		B846	800	24	39	53	38	52	60	
Alld 1/7036874577664	550	17	31	32	24	41	11		B847	800	24	39	53	38	52	60	
Alld 1/1407374915328	550	17	31	32	24	41	11		B848	800	24	39	53	38	52	60	
Alld 1/2814749830656	550	17	31	32	24	41	11		B849	800	24	39	53	38	52	60	
Alld 1/5629499661312	550	17	31	32	24	41	11		B850	800	24	39	53	38	52	60	
Alld 1/1125899932624	550	17	31	32	24	41	11		B851	800	24	39	53	38	52	60	
Alld 1/2251799865248	550	17	31	32	24	41	11		B852	800	24	39	53	38	52	60	
Alld 1/4503599730496	550	17	31	32	24	41	11		B853	800	24	39	53	38	52	60	
Alld 1/9007199460992	550	17	31	32	24	41	11		B854	800	24	39	53	38	52	60	
Alld 1/18014399213984	550	17	31	32	24	41	11		B855	800	24	39	53	38	52	60	
Alld 1/36028798427968	550	17	31	32	24	41	11		B856	800	24	39	53	38	52	60	
Alld 1/72057596855936	550	17	31	32	24	41	11		B857	800	24	39	53	38	52	60	
Alld 1/144115193711872	550	17	31	32	24	41	11		B858	800	24	39	53	38	52	60	
Alld 1/288230387423744	550	17	31	32	24	41	11		B859	800	24	39	53	38	52	60	
Alld 1/576460774847488	550	17	31	32	24	41	11		B860	800	24	39	53	38	52	60	
Alld 1/1152921549694976	550	17	31	32	24	41	11		B861	800	24	39	53	38	52	60	
Alld 1/2305843099389952	550	17	31	32	24	41	11		B862	800	24	39	53	38	52	60	
Alld 1/4611686198779904	550	17	31	32	24	41	11		B863	800	24	39	53	38	52	60	
Alld 1/9223372397559808	550	17	31	32	24	41	11		B864	800	24	39	53	38	52	60	
Alld 1/18446747951119616	550	17	31	32	24	41	11		B865	800	24	39	53	38	52	60	
Alld 1/36893495902239232	550	17	31	32	24	41	11		B866	800	24	39	53	38	52	60	
Alld 1/73786991804478464	550	17	31	32	24	41	11		B867	800	24	39	53	38	52	60	
Alld 1/147573984089167328	550	17	31	32	24	41	11		B868	800	24	39	53	38	52	60	
Alld 1/295147968178334656	550	17	31	32	24	41	11		B869	800	24	39	53	38	52	60	
Alld 1/590295936356669312	550	17	31	32	24	41	11		B870	800	24	39	53	38	52	60	
Alld 1/118059187271333824	550	17	31	32	24	41	11		B871	800	24	39	53	38	52	60	
Alld 1/236118374542667648	550	17	31	32	24	41	11		B872	800	24	39	53	38	52	60	
Alld 1/472236749085335296	550	17	31	32	24	41	11		B873	800	24	39	53	38	52	60	
Alld 1/944473498170670592	550	17	31	32	24	41	11		B874	800	24	39	53	38	52	60	
Alld 1/188894697341341184	550	17	31	32	24	41	11		B875	800	24	39	53	38	52	60	
Alld 1/377789394682682368	550	17	31	32	24	41	11		B876	800	24	39	53	38	52	60	
Alld 1/755578789365364736	550	17	31	32	24	41	11		B877	800	24	39	53	38	52	60	

GN1 REPORT: The technical tightness in spot coffee eased, following the issue of a large number of delivery tenders into the London futures contract. The March/May spread fell to \$20 at one point from \$60 last week, but even this is unusual. If the coffee market was in abundant supply, then the March contract would trade at a discount to the May position, so it's recent premium shows that supplies are not readily available.									
LONDON FOX COCCA Mar 707-705 May 700-787 May 715 81D Jul 805-801 Jul 729-728 Sep 850-817 Sep 745-741 Dec 845-835 Dec 759-757 Mar 777-774 Volume 3186					GN1 LONDON GRADIN FUTURE WHISKEY (Volume 870) Mar 144-40 May 145-30 Jun 146-65 Sep 168-80 Nov 110-75 Dec 114-25 Volume 144				
BOLISA (COFFEE) C Mar 963-960 Nov 912-905 May 929-927 Jun 926-915 Jul 899-897 Sep 925-925 Sep 904-903 Volume 992					BARLEY (Volume 10) Mar 141-25 May 141-70 Sep 108-78 Nov 109-50 Jan 112-50 Volume 60				
RAW SUGAR (FOB) C Canebraw Dec 196-0-02.0 Sep 216-0 Mar 223-21.0 May 227-5-20 Aug 200-0-0.9 Aug 211-0-0.6 Volume 22					HI-PRO SUGA (Volume 10) Apr 150-30 Jun 141-30 Aug 142-30 Nov 110-50 Dec 110-50 Volume 0				
WHITE SUGAR (FOB) Mar 255-4-37 Dec 255-4-37 Mar 254-4-37 May 257-5-11 Aug 261-9-11 Oct 266-0-532 Volume 933					UNLEADED GASOLINE Mar 193-00-95.00 Aug 203-00-05.00 Apr 200-00 81D Jan 204-00 53L May 202-50-03.00 Volume 9				
MEAT & LIVESTOCK COMMISSION Average market price to representative markets on March 8					POTATO Apr Open Close May 39.8 Jun 42.3 Aug 45.3 Volume 9				
(per lb) Beef Sheep Cattle Dec 92.62 120.27 100.02 Mar -17.6 -3.90 -1.93 Eng-Wales 92.51 120.63 135.85 Apr -3.79 -0.19 -2.52 May -30.9 -28.67 -31.7 Scotland 76.58 118.28 137.35 Jun -10.7 -10.7 -10.7 Jul -75.9 -31.64 -39.78					RUBBER No 1 RSS C (pts) Apr 64-50-04.00				
LONDON MEAT FUTURES (per lb) (per Pig) Apr Open Close May 116.0 116.0 Jan 112.5 112.5 May 116.0 116.0 Volume 42					CRUDE OILS (Brent FOB) Brent Physical 19-25 -0.35 Brent 15 day (Mar) 19-30 -0.40 Brent 15 day (Apr) 19-15 -0.35 W Teco intermediate (Mar) 20-0.5 W Teco intermediate (Apr) 20-05 -0.30				
PRODUCTS (SMT) Spot CTF NW Europe (contract delivery) Premium Grade 15 -18 195-120 Offer 197-120 Genoil EEC -178 178-15 Nom EEC 14 Mar -177 151 Nom EEC 14 Apr -177 151 5 Naph Oil -175 151 Sphera -173 141 175-14					IFE FUTURES GENI GAS Mar 175-00-75.25 Jan 175-00-75.25 Apr 174-75-75.00 Aug 175-25-76.00 May 174-75-75.00 Jul 175-25-76.00 Volume 10911				
BRENT (6.00pm) Apr 1916-19-17 Jul 1919-19-20 May 1917-19-18 Aug 1920-19-20 Jun 1918-19-21 Vol 1762					BUYER GENI Lard (per lb) Mar 93 High: 1415 Low: 1407 Close: 1410 Apr 93 1420 1409 1409 May 93 1410 1409 1410 Jun 93 1212 1210 1211 Vol: 156 lots. Open call: 2337 Index: 1387-4				
COFFEES (Volume per sack) Coppel Cote A (Brazil) Jan 1478S-1479.0 1480S-1480.0 Feb 1480S-1481.0 1481S-1481.0 Zinc Spot H1 Cote A (Brazil) The B (Brazil) Amsterdam H1 Cote A (Brazil) Nickel (Brazil):					LONDON METAL EXCHANGE Lead: 1478S-1479.0 1480S-1480.0 1481S-1481.0 99.99-99.99 99.99-99.99 101.75-101.8 540 540 571S-572.00 702S 1155S-1156.0 1175S-1176.0 902S-7 5980S-5990.0 6040S-6050.0 6328S				

Brazilian dollar	2,049.0-2,051.2						
Malaysian dollar	0.5335-0.53475						
Brazil cruzeiro *	30512.6-30512.7						
Cyprus pound	0.709-0.719						
Hong Kong dollar	8.56-8.5625						
Greece drachma	324.43-325.09						
Indian rupee	45.11766-11.1858						
Indonesian rupiah	45.12-45.19						
Kuwait dinar KD	0.4185-0.4465						
Malaysian ringgit	3.7822-3.7862						
Mexico peso	4.4-4.4025						
New Zealand dollar	2.7438-2.7510						
South Africa rand	2.3745-4.503						
Singapore dollar	2.3797-2.3828						
S Africa rand (fin)	4.5819-5.6111						
South Africa rand (com)	4.5811-4.5987						
U A E dirham	5.2135-5.337						
Banque Bank GTS - Lloyd Bank							
Belgium (Com)	11.6965-11.7015						
Canada	34.25-34.26						
Denmark	1.2444-1.2449						
Germany	6.6371-6.6374						
France	12.510-12.520						
Italy	1.3732-1.3733						
Hong Kong	1.4298-1.4299						
Ireland	157.25-157.24						
Japan	16.823-16.83						
Netherlands	2.0165-2.0175						
Nigeria	1.8669-1.8699						
Sweden	1.0479-1.0503						
Switzerland	1.54-1.55						
Singapore	1.6665-1.6677						
Spain	118.90-118.90						
Sweden	1.5915-1.5913						
Switzerland	1.5371-1.5387						

Row Rates: Clearing Banks 6. Finance rate 7. Discount Market Loans: O/night high 5. Treasury Bills (Discount): 2 mth 5%; 3 mth 5%; 6 mth 5%; 9 mth 5%; 12 mth 5%.

Prime Bank Bills (Discount): 2 mth 5%; 3 mth 5%; 6 mth 5%; 9 mth 5%; 12 mth 5%.

Swelling Money Rates: 5%.

Interbank: 5%.

Overnight: open 5%, close 4%.

Local Authority Deposit: 6%.

Swelling CDs: 5%.

Dollar CDs: 5%.

Building Society CDs: 5%.

ECGDF: Fixed Rate Swelling Export Finance. Make-up day: Feb 26, 1993. Agreed runs Mar 2, 1993 to April 25, 1993. Scheme I: 7.35%. Schemes II & III: 7.47%. Reference rate Jan 30, 1993 to Feb 26, 1993. Scheme IV & V: 6.522%.

Currency	7 day	1 mth	3 mth	6 mth	Call
Dollar	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰
Deutschmark	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰
French Franc	11% ⁰⁰	11% ⁰⁰	11% ⁰⁰	11% ⁰⁰	11% ⁰⁰
Swiss Franc	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰
Yen	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰	3% ⁰⁰

Polio: Open \$328.40-328.80. Close \$327.00-327.50. High \$328.00-328.10. Low \$326.00-326.50. Kumpeng: \$328.00-328.00 (\$325.00-326.50).

Sovereigns: OM \$78.00-81.00 (\$51.75-53.75). New \$78.00-81.00 (\$51.75-53.75).

Platinum: \$341.85 (\$326.50). Silver: \$5.67 (\$2.465). Palladium: \$104.35 (\$78.00).

Portfolio Plus

From your Portfolio Plus card, check your eight share price movements on this page only. Add them up to give you your overall (8) and check this against the daily dividend figure. If it matches you have won outright or a share of the daily prize money. If you lose, follow the clues on your card available when claiming. Clues are given on the back of your card.

No.	Company	Group	Share or Index
1	Safeway	Insurance	
2	Trinity	Food	
3	Bank of Ireland	Banking	
4	Bank of Ireland	Banking	
5	Bank of Ireland	Banking	
6	Bank of Ireland	Banking	
7	Bank of Ireland	Banking	
8	Bank of Ireland	Banking	

Please take into account any minus signs

£1,000 MATCH THE SHARES

If you have ticked off your eight share in our Match The Shares game today, check your price by telephoning 053272 between 10.00am and 5.00pm (see the Sunday Times for full details)

The winner of yesterday's Portfolio Plus prize of £2,000 was Mr W Underwood of Stoke Poges, Slough.

1992/93	High	Low	Company	Price	Net Yld	P/E
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BANKS, DISCOUNT, HP

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

BREWERIES

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

BUILDING, ROADS

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

BUSINESS SERVICES

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

CHEMICALS, PLASTICS

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

DRAPERY, STORES

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

FOODS

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

HOTELS, CATERERS

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

INDUSTRIALS

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

Strong advance

ACCOUNT DAYS: Dealings began March 1. Dealings end March 12. Settlement day March 15. Forward prices are based on two previous business days. Prices recorded are as market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1992/93	High	Low	Company	Price	Net Yld	P/E
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1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

1992/93	High	Low	Company	Price	Net Yld	P/E
1	100	100	Bank of Ireland	100	4.5	10.5
2	100	100	Bank of Ireland	100	4.5	10.5
3	100	100	Bank of Ireland	100	4.5	10.5
4	100	100	Bank of Ireland	100	4.5	10.5
5	100	100	Bank of Ireland	100	4.5	10.5
6	100	100	Bank of Ireland	100	4.5	10.5
7	100	100	Bank of Ireland	100	4.5	10.5
8	100	100	Bank of Ireland	100	4.5	10.5

1992/93 High Low Company Price Net Yld P/E

AAF Inds	222	22	129	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
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Why judges need the final say in cases of rape

Lobby groups demanding changes in the law after the furor caused by recent rape trials are not focusing their attention on the real area of concern, says Judge Myrella Cohen, QC

Rape is always an emotive subject as recent cases have shown. But a court has no place for emotions and prejudices. Judges and jurors must consider every case coolly, calmly and dispassionately.

However, because of the sensitive nature of rape charges, only High Court judges and specially designated senior circuit judges are permitted to try such cases. The suggestion that only "women judges" should do so is misconceived. It implies that the victim needs to be given a different consideration to other complainants and ignores the needs of the defendant for whom a court case can be equally traumatic, especially if he is not guilty of the charge.

It also implies that male judges are not capable of appreciating the issues. Some may not be, others are extremely caring. Judges should not be classified into a particular group. They are all drawn from the ranks of experienced lawyers who have acquired a reputation for ability and integrity, irrespective of race, religion, politics or sex.

Upon appointment a judge takes an oath to do "right to all manner of people — without fear or favour, affection or ill will". Some judges may be more competent than others. They all act to the best of their ability, and if they on occasion err in judgment, they should be criticised on an individual basis irrespective of gender.

It is equally misconceived to suggest that a minimum sentence should be mandatory for all cases of rape. Cases vary in their seriousness. Would it be fair to treat exactly the same young man unable or unwilling to draw back when his girl friend, after encouraging him all the way, suddenly at the last moment cries "halt", and the man who deliberately waylays a stranger and forces her by threats and violence to have intercourse with him?

Judges must always be allowed to use their discretion within given guidelines, and if they err in principle the Court of Appeal will either reverse or decrease the sentence accordingly.

In 1986 Lord Lane, who was then Lord Chief Justice, laid down guidelines on sentencing in rape cases. He stated that rape will always call for an immediate custodial sentence except in wholly exceptional circumstances. The variable facts in rape make it impossible to set out a tariff to meet every contingency.

But decisions on the court give an indication of what judges should do. For rape committed by an adult without any aggravating or mitigating features, five years should be taken as a starting point in a contested case. Where rape is committed by two or more men acting together, or by a man who has broken into the place where the

victim is living, or by a person in a position of responsibility towards the victim, or by a person who abducts the victim and holds her captive, the starting point should be eight years.

Where the defendant has carried out a campaign of rape, committing the crime upon a number of different women, 15 years may be more appropriate.

Even a life sentence would not be inappropriate if the defendant manifested perverted or psychopathic tendencies or a gross personality disorder which caused him to be a danger to women if he were at large. No two cases are the same — there must always be scope for variations. The offence will be aggravated if violence is used over

gation, but the fact that she acted imprudently (eg, accepting a lift in a car from a stranger), or her previous sexual experience, or the defendant's good character are all irrelevant.

The demand for minimum sentences in this type of offence would not therefore be appropriate. The framework exists within the present law for judges of either sex to impose the correct level of sentence, and the seminars that judges are required to attend, and the specimen cases they receive from the Judicial Studies Board, ensure that they are aware of these guidelines and principles and can follow them.

The introduction of minimum sentences could be counterproductive. At present, in most contested cases of rape that come before the courts, the sole issue is one of consent. The man says she consented, she says she did not. It is the word of one against the other. Experience shows that juries, which consist of both men and women, may know the probable consequences of a conviction and be extremely reluctant to convict in such circumstances. This may be the reason for the disproportionate number of acquittals compared with other types of cases.

If minimum sentences were introduced, preventing judges from taking account of mitigating factors, juries could become even more reluctant to convict.

There is one aspect of the law that does require to be reviewed: it concerns young offenders. At present there is a presumption in law that a boy under 14 years is incapable of committing rape, so any youth under 14 who commits this offence can be charged only with the lesser offence of indecent assault, leaving the court powerless to pass any meaningful sentence.

On January 29, a private member's bill to rebut this presumption received a second reading in the Commons. It is to be hoped that it will soon become law because a change is long overdue, and that consideration will be given to reviewing the powers of the courts to deal adequately with young offenders charged with this type of offence.

The new government proposals to set up service training centres for young offenders between the ages of 12 and 15 will not apply to young rapists unless they are persistent offenders. There is still no adequate way of dealing with young rapists, especially those who are under 15. It may be that the time has arrived to rethink our policy of dealing with young sex offenders in order both to help and to punish the offender himself, and to deter him and others from offending in this way.

● The author has been a circuit judge since January 1972 and is a designated rape judge.



'The framework exists within the present law for judges to impose the correct level of sentence'

JUDGE COHEN

and above the force necessary to commit the rape, or if it is repeated or carefully planned; or if the victim is subjected to further sexual indignities, or she is either very old or very young, or the effect on her — whether physical or mental — is of special seriousness.

Where any of these aggravating features are present, the sentence will be substantially higher than the "starting point" figure. Mitigating circumstances will reduce the tariff.

Giving evidence can cause the victim extra distress, so that a plea of guilty when the victim does not have to relive her experience in court will result in a reduction of sentence. If the victim behaved in a way which was calculated to lead the defendant to believe that she would consent to sexual intercourse, there would be some miti-



Public face: the Bar's director of public affairs Heather Hallett, QC, found herself thrown in at the deep end in her new role

Model of a modern barrister

The Bar has made great efforts to shed its dusty image. Its new public affairs director is committed to continuing the task

Being questioned by a journalist on my car phone about whether a man can stop mid-way through an act of sexual intercourse was not quite how I had envisaged the job," says Heather Hallett, QC, this year's director of the Bar's public affairs.

It is a high-profile role, and one that puts her "on call" at all hours to give instant comment on behalf of the Bar. The recent conviction of a man for raping his fiancée after she changed her mind in mid-love-making had plunged Ms Hallett into high demand.

For most big organisations, having spokesmen available at all times is basic to their public relations. But for the Bar, more than most, it shows how far the profession has moved since the days when journalists were rarely spoken to and the idea of media relations was seen as an invention of marketing men which need not trouble such a distinguished profession.

"I think the Bar's image has changed," Ms Hallett says. "We have managed to get across that you don't have to be public school, to be moneyed, male and middle-class — that we are a meritocracy rather than an old-boy network."

Ms Hallett, 42, a mother of two, crown court recorder and legal aid practitioner, is supremely well-equipped to be the public's model of a modern barrister and to continue the "good work" of showing the Bar does not consist of crusty old dinosaurs, that we do are and are not ideal, money-grubbing loafers after a fat fee."

She is also well-placed to promote the place women. "I have been sacked twice (from a brief) because I was a woman." But prejudice has much diminished: gone are the days when chambers would not take on a woman because they had one already.

Women, she says, are taken on merit; and in the wake of a recent Bar survey, the right steps are being

taken to root out discrimination where it persists. She argues against positive discrimination, or quotas arguing that as the pool of women barristers grows, more will be given silk or made judges.

The public probably still think of Leo McKern's down at heel Rumpole rather than the crisp well-groomed likes of Ms Hallett. But the Bar's public image has had a radical facelift in recent years.

Barristers appear on television and radio, despite the anachronistic rule that they may not speak or write about cases they themselves have appeared in. They hold press conferences. PR is taken seriously, both by the profession's governing body, the Bar Council, and by individual chambers which promote themselves — if somewhat dryly for the most part — through brochures and seminars.

The change has given the Bar a formal and influential voice on a political level which ten years ago was no more than a whisper between benches at Inns' dinners. That voice is heard not only on the more "trade unionist" issues such as rights of audience (where it is arguably less convincing) but, more persuasively, in the wider civil and criminal justice debate.

Michael Burrell, managing director of Westminster Strategy, the Bar's public relations consultants for the past five years, says: "Law-

yers are never going to be everyone's favourite people. But I do think we have had some success in encouraging the Bar to be more outward looking and have brought an element of efficiency to their external relations."

The task was not straightforward. The 6,000-strong private Bar consists of self-employed practitioners whose whole working life, Mr Burrell says, is about being "independent."

"So working together for a common cause does not come naturally; they are rather anarchic when trying to do things corporately."

There was also the problem of attitude. "When we were brought in [at the time of the government's green papers for reforming the legal profession], the Bar was using language not helpful to its cause, which people found antagonising. I think that lobbying at Westminster and Whitehall has become a bit more sophisticated."

"Because of the job barristers do, it is natural for them to adopt an adversarial stance when talking to journalists, politicians, consumer groups. We have tried to get across to them that they should be thoughtful, reflective, and listen as well as talk."

A turning point in the moulding of the Bar's public image came in 1986 when Robin Alexander, QC, (now Lord Alexander and chairman of the NatWest Bank) became chairman. He cultivated media

and political contacts with great skill and diplomacy to an extent not seen before — "talking with people on a level, not down to them". Mr Burrell recalls. He also brought in professional PR consultants, created a magazine, *Counsel*, and set up the annual Bar conference.

His chairmanship came at a time when the Bar faced intense scrutiny: the Law Society had launched what became known as "Bar Wars", an attempt to dismantle the profession's restrictive practices which led to the government's legal reforms; internally, meanwhile, a radical wing of the Bar was mounting a campaign to rid it of its "fat cat" image of high-earning QCs and to make the governing body democratic and accountable to the rank and file. Within that group were both Anthony Scrivenor, QC, and Gareth Williams, QC, (now Lord) who, as chairmen for 1991 and 1992, put the finishing touches to the Bar's image as a reformist body promoting ideas and concerned with access to justice.

Ms Hallett's task will be to continue to promote that stance: she puts the Royal Commission on Criminal Justice and legal aid at the top of her agenda. She also believes fervently in the Bar's opposition to allowing Crown Prosecution Service lawyers into the crown courts. But this issue is now one which the Bar fights behind the scenes, and on a public interest level rather than a trade unionist one. The message may be the same, but the tone has definitely softened.

There is, though, at least one aspect of the Bar's image that Ms Hallett does not want to alter: wigs. Wigs, she says, disguise both youth and age, neutralise a barrister's sex and can open the scales in favour of ensuring a defendant tells the truth. "If there is anything that will help stop miscarriages of justice, let's keep it."

FRANCES GIBB

Who will judge?

A RETIRED solicitor's clerk from Harrow is to challenge the Lord Chancellor in the High Court over what he says are unlawful and irrational proposals for cutting the legal aid scheme.

The unprecedented legal action by Roy Edey, which will be heard in the High Court on March 15, comes about as the Law Society prepares to launch a similar legal challenge to the Lord Chancellor over legal aid fees. Mr Edey, who has already successfully won leave to challenge his local council over Sunday trading, says he is bringing the latest action on behalf of the "many millions of people in England and Wales whose eligibility for legal aid, and therefore access to the courts, is to be withdrawn under the Lord Chancellor's proposals".

He is seeking leave to bring judicial review proceedings over what he says is a breach of duty by the Lord Chancellor, Lord Mackay, to make proper provision for legal aid in England and Wales.

Quid pro Quo

ANY company director caught out and fined for failing to file company accounts on time can at least have the consolation of knowing that he or she is in

glamorous company. Francis Rossi, guitarist with the rock band Status Quo, was recently fined £150 plus costs by a Cardiff magistrates' court for failing to file accounts for the company Francis Rossi Entertainment. He is also a director of several other companies which appear to be similarly in default — the main Status Quo company, Acklode, has not filed accounts since 1990. Is this a fit of nostalgia for 1974 when the band reached number 8 in the charts with its hit single "Breaking the Rules"?

Limited view
WHILE Cyfngedig is allowed, Elusen Gofrestredig is not. In other words while the Companies Act allows Welsh companies to call themselves "limited" in Welsh, Welsh registered charities have to stick to the English "registered charity". So far, that is the government has now offered to reconsider its original argument that the English would be confused by the Welsh.

Mock trial

SIXTEEN schools which have won through the regional heats to the finals of the National Mock Trial competition will fight it out this Saturday at Southwark Crown

Court in south London. The teams taking part in the competition, sponsored by the Bar with the Citizenship Foundation, will play the parts of barristers, witnesses, court clerks and jurors and will prosecute and defend in three cases. The final will be judged by Lord Justice Farquharson.

Teacher wins

A WOMAN teacher has won £3,431 compensation for indirect sex discrimination and unfair dismissal after her application for a job share was turned down by her school's governing body. The school, a voluntary aided Roman Catholic school in Leicester, argued that job sharing was not in the educational interest of children.

But the local authority, Leicestershire County Council, does in fact operate a job sharing scheme and this led the industrial tribunal to conclude that informed opinion evidently does not hold that job sharing is detrimental to children. The teacher's case was backed by the NUT.

Tick the box

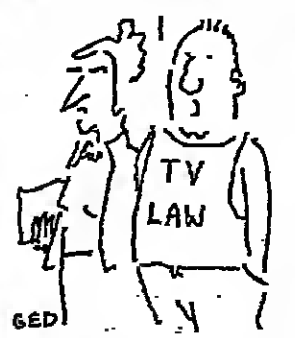
THE competition for a slice of the "continuing professional development" (CPD) market is intensifying. The latest to

INNS AND OUTS

join the wannabes is the company TV Law, the brainchild of Howard Epstein of London's Epstein Grower & Co. TV Law has produced six video lecture courses each of which is worth three CPD hours when used for distance learning or four CPD hours when used as part of an in-house training programme.

By watching the videos and filling in a multiple choice paper, a solicitor can achieve 75 per cent of the hours needed. But does the fact that TV Law marks the papers itself create a slight conflict? "No," says Mr Epstein, "because there is no pass mark." Which would seem to make it easy for solicitors to

in fully qualified... I bought the video and the T-shirt



abuse the system by just getting the videos. Says Epstein: "I do not accept that argument because people would not be that cynical."

Look and learn

NOT to be outdone, the subscription channel, Television Education Network, "the lawyers' educational channel in-house service", has launched a series of continuing-education videos, on subjects ranging from property to planning, corporation tax to mergers.

Every month, subscribers receive a video that is up to two hours in length and divided into 20-minute slots on topics picked from the various subjects. It is not as dry as it sounds: the BBC presenters Nicholas Wintchell and Jill Dando introduce the issues and obtain the views of the studio guests along with John Howard, a solicitor and reporter on legal affairs for the BBC.

Witness box

SOME familiar names will also be fronting Channel 4's new legal series which is being launched in April under the title *Streetlegal*. It is being presented by Patricia Hewitt, Neil Kinnock's press secretary from 1983 to 1989, and the journalist Paul Foot, known for his many campaigns against miscarriages of justice.

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Legal aid gives access to the courts for those who could not otherwise afford litigation. Two lawyers fear that this freedom is about to disappear

Keeping the poor from the law

The public tends to assume that if lawyers are upset about some development, it must be broadly a good thing. But what is now upsetting lawyers most is the Lord Chancellor's move to cut the cost of legal aid by putting it out of reach even of the poorest people in our community.

The Lord Chancellor, Lord Mackay of Clashfern, proposes to drop the limit of eligibility for free legal aid to the income support level, reduce dependants' allowances by 20 per cent, increase greatly the contributions payable and make them continue throughout the life of the case, people above the income support level will not get any free legal advice.

In his recent presidential address to the Lawyers Christian Fellowship, Lord Mackay said: "We are here as Christian lawyers to serve the public, relying on our divine master, Jesus Christ, and seeking to show his character in our lives as we give a service to the public which is second to none."

Obviously, the public that Lord Mackay believes we should all be serving comprises only a tiny proportion of the total population. There can be no doubt at all that people with no other income than invalidity benefit, people on unemployment benefit (but not income support) or a few pounds above income support level are desperately poor and cannot afford the contributions he wants them to pay.

These are the very people who need access to the courts to protect themselves from injustice and intimidation. If these proposals are implemented, such people will not be able to pay the swinging contributions that will be required.

As a personal injury lawyer, representing many who have sustained serious disabling injury or even bereavement, I commend that the route to compensation is through the courts; it is not usable without legal help, so it makes no sense to give someone such a right and then bar the way.

Looking back to past clients whose civil legal aid cases have been financed by the legal aid fund, I think of one man, a highly skilled worker in his forties, who had been

reduced by medical negligence to complete dependence.

After the first year or so, his wife was able to return to her employment of 20 years in the accounts department of a local factory. She was not paid much, but the job kept her sane and supported her through very hard times. She was eventually compensated after a long struggle but it took six years. She certainly could not have afforded to pay the contributions which would now be demanded of her for one year, let alone six.

We have always used the legal aid and advice scheme to give preliminary advice on people's rights; for example, to advise the families of people who have died in medical accidents. This almost always means an inquest and for a

proaching the majority, has no access to the courts at all. These proposals would increase their numbers until only a smallish minority is eligible for legal aid.

The proposals make no sense at all in the context of personal injuries, because this costs the state little; indeed, it may even be on the way to making a profit out of it. It does not seem that the Lord Chancellor's department has done its sums in this connection.

Accident litigation prevents costly accidents — we, the lawyers, are the accident investigators, and we not only research the causes of accidents but provide an incentive to avoid a recurrence. We must assume that there would be many more accidents if we were not around.

Further, we recover money for our clients, which maintains them, pays for their care and equipment if disabled, and prevents them from becoming dependent on the state. And we actually recover large sums in state benefits from tortfeasors (wrongdoers); the new Compensation Recovery Unit recovered £52 million in 1992 and its capacity is clearly far greater — soon it will be £100 million.

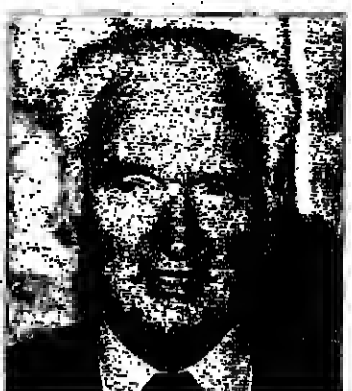
The probable operation of the new contributions system makes an interesting study. If anyone actually pays these contributions, it is most unlikely that they will be used to fund the litigation of the person paying the contributions.

In most personal injury cases, the defendants will have paid the costs long before the legal aid fund pays out even half what it has collected from the poor client to his lawyers in costs and disbursements. The fund will use the contributions, no doubt, to fund less cost effective but equally essential types of litigation — but why should our disabled or bereaved clients pay for this?

Why should we not all pay, those of us who have not been injured? What we need is a legal aid system which is actually available to everyone who cannot afford litigation.

SARAH LEIGH

The author is a partner with Leigh Day & Co, solicitors.



Lord Mackay: big changes

family to attend an inquest without their own lawyers is to put them at a serious disadvantage. (All the doctors involved will, of course, be represented by their lawyers, paid for by their defence societies.)

There is no legal aid for inquests, but it is possible to prepare for an inquest and advise the family on their rights to compensation on what is called the green form, for application for legal advice and assistance. Now this will be available only if the family is actually on home support.

Legal aid was intended to provide access to the courts for everyone. The odd thing is that for the past ten years at least a significant body of the population, now ap-



Cutting back: the Lord Chancellor wants to reduce the burden of legal aid but, say lawyers, will it be at the cost of justice?

Tender control or instrument of cheap change?

Legal aid practitioners, still reeling from proposed cuts concerning eligibility for legal aid, have had another unpleasant surprise. Lord Mackay of Clashfern has told them that they may now face compulsory competitive tendering.

The Lord Chancellor was explicit. "For the future," he wrote, "I expect to see the Legal Aid Board offering contracts to accredited firms for undertaking blocks of cases following competitive tendering. In the largest cases, which could not be covered by a fixed-price contract, fees and rates will be negotiated in advance in a way which allows firms to compete for work."

Lord Mackay's plan is to build on the contracts ("franchises") with legal aid providers that the Legal Aid Board intends to bring into force from next January. These are intended to deliver better terms of payment and more delegated authority to a practitioner in return for performance against objective quality standards monitored by the board.

The aim, the board says, is a "partnership with the profession to provide an accessible and quality assured service to clients giving improving value for money to the taxpayer."

Lord Mackay's blunt statement of his ultimate purpose contrasts with the delicate web spun by the board as it seeks to impose external and effective quality controls on a profession that is somewhat touchy about its independence. The board, making good care to keep the Law Society and legal aid practitioners on its side, has repeatedly asserted its commitment "to involving the profession in the development of franchising". It has never raised the possibility that franchises might be distributed by means of competitive tendering.

The implications of Lord Mackay's ideas can be assessed by exploring how they might work in

practice. He seems to intend that, in relation to, say, crime, only four or five firms in an area would be given a contract to undertake a set number of miscellaneous cases a week. More complicated and bigger cases, such as a murder or contested armed robbery, would be discreetly advertised and given to the lowest bidder. Presumably, such Dutch auctions will also be extended to the use of barristers where required.

The point of such an arrangement would be to force down legal aid payments. Firms of acceptable quality but which bid too high for contracts would lose their franchises, just as surely as some ITV companies recently lost theirs.

The benefits to clients, as opposed to the Treasury, seem dubious. In particular, the hawking around of a murder case to the lowest bidder seems distasteful and, from the point of view of the interests of justice, not entirely desirable.

To work properly, competitive tendering requires adequate objective quality standard against which bids could be measured. The board is working on the idea of "transaction criteria". These are "a series of points and questions that a trained observer checking a file would use to assess the work carried out."

The underlying idea is that good lawyers take good notes and, by logical inversion, the presence of good notes indicates good lawyers. In January, researchers employed by the board produced their list of draft criteria. They have still not published the research on which the criteria are based.

Clearly, you get better notes, but do clients get a better service? Furthermore, will legal aid money be diverted into time spent on recording information rather than actual advice and assistance?

ROGER SMITH

The author is director of the Legal Action Group.

The hawking around of a murder case seems distasteful

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Queen's Bench Division

Solicitors liable to beneficiary

White and Another v Jones and Another

Before Sir Donald Nicholls, Vice-Chancellor, Lord Justice Farquharson and Lord Justice Steyn

[Judgment March 3]

Solicitors in breach of their professional duty to a client by failing to carry out instructions to prepare a will were liable in damages to the intended beneficiaries.

The Court of Appeal held in a reserved judgment allowing an appeal by the plaintiffs, Mrs Carol White and Mrs Pauline Heath, from the order of Mr Justice Turner made on October 18, 1990 in the Queen's Bench Division dismissing their claim in negligence against the first defendant solicitor, Mr John Brynmor Jones, and the second defendants, Philip Baker King & Co. The court gave judgment for each plaintiff in the sum of £9,000 with interest.

After a family row a testator executed a will disinheriting his two daughters, the plaintiffs. Following a reconciliation he instructed the first defendant to draft a new will directing payment of legacies of £9,000 to each of the plaintiffs, who were privy to that arrangement. Owing to the defendants' negligence the will was never drawn up.

Mr John Mitting, QC and Mr James Quirke for the intended beneficiaries; Mr Duncan Matheson, QC and Mrs Teresa Pearce for the solicitors.

THE VICE-CHANCELLOR said that the judge had held that, in straightforward professional terms, Mr Jones had committed a serious wrong towards his client which might well have resulted in a denial to the plaintiffs of financial benefit which there had been evidence to suppose the testator had intended. But the judge had also held that the solicitors did not owe any legal duty to save the plaintiffs from financial harm.

In *Ross v Caunters* ([1980] Ch 297) the solicitor had been at fault in failing to warn the testator that the will should not be witnessed by the husband of the residuary legatee. Sir Robert Megarry, Vice-Chancellor, had held that the solicitor's contemplation of the legatee had been actual, nominate and direct; it had been contemplation by contract, although the contract had been with a third party, the testator.

Mr Justice Turner had declined to apply that case to the failure to draw up a will for execution. The liability question.

In his Lordship's view there was no distinction in principle between the instant case and a case, such as *Ross v Caunters*, where the solicitor's failure lay in not warning the client about formal witnessing requirements. On that he could not agree with the judge. To both cases

the solicitor was in breach of his professional duty in carrying out his client's instructions for the preparation and execution of a will, in the one case by doing nothing, in the other by doing his work badly or incompletely.

For convenience his Lordship would refer to the question whether in such cases a solicitor could be liable to an intended beneficiary as "the liability question".

Knowledge of testator's intentions. Unless a prospective beneficiary could show reliance on a solicitor's advice in circumstances where a liability in negligence would clearly follow, awareness by an intended beneficiary of what the testator was doing could not itself make the solicitor liable to the beneficiary if otherwise he would not be liable.

It could not be that if there were two intended beneficiaries, one of whom knew of the testator's plans and his instructions to the solicitor and the other of whom did not, the negligent solicitor was liable to the former beneficiary but not the latter.

An open question. Neither in *Caparo Industries plc v Dickman* ([1990] 2 AC 65) nor in *Murphy v Brentwood District Council* ([1991] 1 AC 398) had the House of Lords expressly or implicitly doubted the correctness of *Ross v Caunters*. The position was simply that the House had left the matter open.

Effect of the solicitors' argument. In considering the liability question it was of the utmost importance to keep in mind that if there was no liability the result would be striking: the only person who had a valid claim against the solicitor had suffered no loss, and the only person who had suffered a loss had no valid claim.

The executors could sue the solicitor for damages for professional negligence, but they could recover only nominal damages because the estate had suffered no loss.

The intended beneficiary suffered a loss, but he would have no

right of recourse against the solicitor for the professional negligence which had caused his loss. It would be a sorry reflection on English law if, indeed, that was the current position.

Foreseeability

The House of Lords' decision in *Caparo v Dickman* had established that, for there to be a duty to take reasonable care to avoid causing damage of a particular type to a particular person or class of persons, three factors had to coalesce: foreseeability of damage, a close and direct relationship characterised by the law as "proximity" or "neighbourhood", and the situation had to be one where it was fair, just and reasonable that the law should impose the duty of the given scope upon the one party for the benefit of the other.

In the instant case there was no difficulty over the first of the three headings. It was inevitably foreseeable to a solicitor that if he failed to prepare a will as instructed by his client, and arrange for it to be duly executed, the disappointed beneficiaries would suffer financial loss.

Special relationship

His Lordship turned to consider whether there was between a solicitor and intended beneficiary a relationship of proximity and whether it was fair, just and reasonable that there should be a liability imposed on the solicitor to compensate the beneficiary.

In *Caparo v Dickman* the House of Lords had decided that there was no reason in policy or in principle why the necessary close relationship should be held to exist either between the auditors and future investors or between the auditors and existing shareholders in respect of future purchases of shares.

The instant case was different. The purpose of the employment of the solicitor was to carry out the client's wish to confer a particular testamentary benefit on the intended beneficiary. If the solicitor negligently failed to achieve that purpose, justice required there should be some remedy available.

A point taken by Mr Matheson was that since the testator was under no duty to confer a gratuitous benefit on his intended beneficiaries, there was no reason to impose on the testator's professional adviser a duty which went further than that on the testator.

That was a feature of fundamental importance in the case. In general, and always leaving reliance cases on one side, a solicitor owed a professional duty of care to his client and no one else.

One then asked oneself why was the position different regarding instructions for the preparation and execution of a will? If so, why? Why should a solicitor be liable to a third party in such a case but not in others?

His Lordship concluded that instructions to prepare a will were different from other instructions to a solicitor. The failure to carry them out properly resulted in the client's purpose being thwarted but left the client's estate with no effective remedy.

There was good reason why the solicitor should be liable to a third party in that special situation. Otherwise there was no sanction in respect of the solicitor's breach of his professional duty.

Thus there was a special relationship between the solicitor and intended beneficiary which should attract a liability if the solicitor was negligent. *Ross v Caunters* was still good law.

There was no ground which would justify the court interfering with the judge's conclusion that there was a breach of professional duty by the defendants. His Lordship was unable to agree with the judge's holding that the damage alleged was too speculative and uncertain in extent to be recoverable. Accordingly he would allow the appeal and enter judgment for each plaintiff in the sum of £9,000.

Lord Justice Farquharson and Lord Justice Steyn delivered concurring judgments.

Solicitors: Rosenberg & Co, Birmingham; Pirelli & Co, Birmingham.

General Building and Maintenance plc v Greenwich London Borough Council

Before Sir Godfrey Le Quesne [Judgment March 5]

Health and safety were among the matters that a local authority was entitled to take into consideration when deciding whether to invite a contractor to tender for a contract.

Sir Godfrey Le Quesne, sitting as a deputy judge in the Queen's Bench Division, so held in dismissing General Building and Maintenance plc's application for an injunction restraining Greenwich London Borough Council from awarding its housing maintenance contract until after GBM had been allowed to tender for it. The action was also dismissed. Judgment was given in open court following a hearing in chambers.

Regulation 12 of the Public Works Contracts Regulations provides: "(4) The contracting authority may exclude a contractor from these persons from whom it will make the selection of persons to be invited to tender... if the contractor fails to satisfy the minimum standards of economic and

financial standing and technical capacity required."

Mr John Cherryman, QC, for GBM; Mr Andrew Arden, QC, and Mr Richard Drabble for the council.

HIS LORDSHIP said that the action raised a question of the interpretation of the 1991 Regulations which had been made to give effect to the United Kingdom's obligations under the EEC Treaty. The council had wanted to invite tenders for the repair and maintenance of its housing stock. The procedure adopted had been the restricted invitation procedure under regulation 12.

The council's evaluation of returned applications had covered two areas, economic and financial standing and technical capacity. The evaluation of technical capacity had included an assessment of a contractor's compliance with health and safety legislation.

The council had decided not to invite GBM to tender for the contract because it had failed to meet three of the council's requirements on health and safety.

The question was whether the council had acted in breach of the

1991 Regulations when excluding GBM from tendering. GBM argued that it had: it said that under the regulations it was not permissible for the council to take into account matters of health and safety when deciding whom to invite to tender.

In his Lordship's judgment, if the regulations were really to forbid consideration of health and safety matters the result would not be surprising. It would not be astonishing — it would be incomprehensible.

GBM's interpretation of the regulations would not contribute in any way to the purpose of the regulations. The court should incline against an interpretation of the regulations which went against their purpose and which had very surprising results.

In his Lordship's judgment, matters of health and safety were within the ambit of the regulations. "Technical capacity" meant competence to carry out the operations of the contractor's trade. That included the ability to carry it out with proper regard to the health and safety of its employees and the public.

The provision under regulation 16(1)(b) that an authority could require a contractor to provide a list of works and a certificate of satisfactory completion clearly brought within the ambit of the regulations matters of health and safety. It would not be surprising but with a total disregard for health and safety.

GBM argued that if health and safety could be taken into account, all that the authority was entitled to consider was what was in the answers to any subsequent questions that the authority had could not be considered.

In his Lordship's judgment that was not the right interpretation of the regulations.

Further, for an authority to ask for health and safety information at the stage of the submission of tenders, rather than at the award stage, was a proper exercise of its discretion.

Solicitors: Phillip Wheeler & Co, Chislehurst; Mr David N. Atkinson, Woolwich.

Unattended van not an unlawful trap

Williams and Another v Director of Public Prosecutions

Before Lord Justice Farquharson and Mr Justice Wright [Judgment March 1]

Police who left an insecure and unattended van, with an apparently valuable load on display, and kept it under observation in the hope that a passer-by might act dishonestly and be apprehended, were not acting as agents provocateurs and the evidence gathered was not inadmissible on the ground of unfairness.

The Queen's Bench Divisional Court so held, dismissing appeals by way of case stated by Gary Williams and Edward O'Hare against their conviction by Redbridge Justices on September 2, 1992 of interfering with a motor vehicle, contrary to section 9 of the Criminal Attempts Act 1981.

Mr Rupert Meade for the appellants; Mr Keith Hadrell for the prosecution.

MR JUSTICE WRIGHT said that police officers had left an insecure and unattended vehicle, with an apparently valuable load, in fact dummy cigarettes, on display, parked in a busy shopping area which was an area of high motor vehicle crime. The police had then kept the van under observation.

LORD JUSTICE KENNEDY said that, while sympathising with Mr Moore's situation, the regulations operated to prevent students from obtaining unemployment benefit during all vacations.

full admissions. However, the appellants had attributed their conduct to the temptation placed in their way by the police.

The justices found that during the operation the police had not verbally communicated with either of the appellants and the operation had not been directed at any specific individual.

There had been no active negotiation or participation with either of the appellants and no physical or mental force had been applied to them to approach the van and take any of its contents.

There had merely been an expectation, or hope, that somebody, no particular individual, might act dishonestly and be apprehended.

The appellants had participated in an opportunistic crime which they had not set out on that day to commit. However, they had incriminated themselves not through any trick but by their own dishonesty. The conduct of the police had not been innately unfair.

In his Lordship's judgment the findings of the justices were fully justified.

The appellants had argued that the whole of the evidence should have been declared inadmissible as they had been unfairly provoked or tricked into committing offences that they would not otherwise have committed by police acting as agents provocateurs.

In his Lordship's judgment it was clear that the police had not

been acting as agents provocateurs.

In no sense had they been involved in procuring, inciting or counselling a crime. They had done nothing to force, persuade or coerce the appellants to do the acts.

The appellants had done the acts voluntarily and knowing that they were wrong.

The justices had been right not to exclude the evidence, whether under the common law or under section 78 of the Police and Criminal Evidence Act 1984.

Lord Justice Farquharson gave a concurring judgment.

Solicitors: Kennards, Leytonstone; Crown Prosecution Service, North London.

Offences must be indicated

Regina v Husband

Judges had to indicate which offences they were taking into account if two or more offences combined to require an immediate custodial sentence under section 1(2)(a) of the Criminal Justice Act 1991.

The Court of Appeal (Lord Taylor of Gosforth, Lord Chief Justice, Mr Justice Henry and Mr Justice Beld) so stated on March 2, 1993 when dismissing an appeal against sentence by Anthony Richard Husband, who, aged 17, had been sentenced to 12 months on

each offence concurrently in a young offenders institute after pleading guilty at Isleworth Crown Court (Judge Millar) on October 23, 1992, to three counts of burglary contrary to section 9(1) of the Theft Act 1968.

THE LORD CHIEF JUSTICE said that there were three burglaries and they were residential burglaries. One could have been overlooked, but certainly not three. The judge had in mind the requirement of section 1(2) of the 1991 Act, but regarded those

offences as so serious that only a custodial sentence could be passed.

His Lordship said that if the learned judge was taking into account, as the Court of Appeal had done in reviewing the case, the combined effect of two offences then he should indicate which two he had had in mind and make it clear using the language of the sections of the 1991 Act.

The court reminded judges that it was important to comply with the framework of sentencing as had been prescribed in detail in the 1991 Act.

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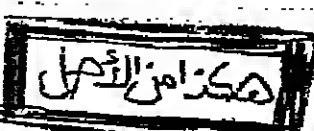
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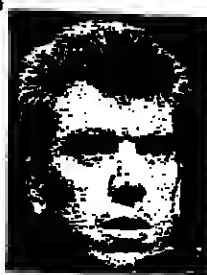
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THEATRE page 38
Something vile lurking in society, warns a new play called *Succulence*, but the pâté looks tasty

ARTS

AFRICA page 39
After apartheid: what are the prospects for film, music and theatre in the new South Africa?



Just how do we remember them?

As their anniversaries approach, John Dugdale assesses the war poetry of Laurence Binyon and Wilfred Owen

Laurence Binyon, the 50th anniversary of whose death falls tomorrow, secured his niche in history through the poem "For The Fallen", first published in *The Times* on September 21, 1914, in response to early British losses in Flanders. They shall not grow old, as we that are left grow old: Age shall not weary them, nor the years condemn. At the going down of the sun and in the morning We will remember them.

In this sense Binyon is the best known of the first world war poets, remembered for a promise to remember. Others are more celebrated, but their work is not publicly recited throughout the country each year on Armistice day. Aged 45 when war broke out, Binyon spent it working at the British Museum, where he was a keeper in the department of prints and drawings; he published seminal studies of Oriental painting and the followers of William Blake. By September 1914 he was also, of sufficient standing as a poet and verse dramatist to be invited (in the distinguished company of Thomas Hardy, Arthur Conan Doyle, John Masefield and G.K. Chesterton) to attend a secret conference for men of letters organised by a new

government propaganda section. "For The Fallen" was his dutiful contribution to the war effort. When it was reprinted as part of a *War Poems from The Times* supplement in August 1915, Wilfred Owen, 22, was returning from southern France to England in order to enlist. His reaction was lukewarm approval ("Binyon — all right"), but at that stage he still largely shared the same conven-

Great War writing continues to shape the way the British imagination responds to war

tional view of the war, with its linked myths of heroism and Christ-like self-sacrifice. After his first experience of the Western Front in early 1917, however, he could no longer treat death as an abstraction, crating the appalling reality. The opening of "Anthem For Doomed Youth", his own tribute to the fallen ("What passing-bells for these who die as cattle?"), is manifestly unsuitable for memorial services. And "Dulce Et Decorum Est" directly challenges "the old Lie", the non-combatant's notion of battle as the perfect arena for a dignified patriotic demise, by depicting in detail a soldier being poisoned by gas. Other frequently anthologised works, such as "Spring Offensive" and "The Sentry", are similarly

centred on first-hand reportage — usually combined with an explicit or implicit appeal to the compassion of the reader, or with angry protest directed against desk-bound hawks in Whitehall and greedy profiteers. In the climax of "Insensibility", regarded by many as his greatest poem, this anger is powerfully fused with late-Romantic lyricism. By choice they made themselves immune To pity and whatever moans in man Before the last sea and the hapless stars: Whatever maims in man when many leave these shores: Whatever shares The reciprocity of tears.

March 18 sees the centenary of Owen's birth. His reputation remains healthy, and his work is still widely read, particularly in schools — although it must be said that academic criticism, preoccupied with the Modernist motorways Eliot and Pound were already building in 1918, tends to view war poetry as a rather dull B-road. The Chatto edition of the *Collected Poems*, edited by Jon Stallworthy, Owen's biographer, regularly sells 6,000 to 7,000 copies a year, assisted by its presence on A-level syllabuses. Jon Silkin's *Penguin Book of First World War Poetry* has been in print ever since its first appearance in 1979.

The contemporary relevance of Great War writing is obvious and — despite the competing influence of post-1945 American fiction — it continues to shape the way the British imagination responds to war. *Tumbledown*, Charles Wood's television play based on the story of an officer wounded in the Falklands conflict, picked up the argu-



Lest we forget: Laurence Binyon (left) was too old to fight in the first world war. Wilfred Owen died a week before the end of it



ment against the cult of the hero where Owen left off. *Blackadder Goes Forth*, the BBC sitcom set in the trenches of Flanders, began as black comedy, blending *Oh What A Lovely War!* with *Catch-22*. But the final episode, in which the characters went over the top, took its tone from Owen and his mentor, Siegfried Sassoon.

Owen died in action on November 4, 1918, a week before the Armistice was signed. His own vision of his subsequent career, had he survived, can be inferred from "Strange Meeting", a Dante-esque dream poem in which a soldier meets the enemy he killed: death, the ghost says, has prevented him from revealing "the truth untold/The pity of war, the pity war distilled". On this basis, Owen would have joined Vera Brittain

and her colleagues in the inter-war peace movement.

The late George MacBeth envisaged the railway clerk's son writing "more directly involved poetry about the problems of the working classes" than the socially privileged Auden gang of the Thirties. David Bradshaw's *Dictionary of National Biography* essay surmises that Owen "would have grown in stature to span the native tradition between Thomas Hardy and Philip Larkin".

However, Andrew Motion, Larkin's biographer, recently sketched a less glorious possible after-life: "He would have become a homosexual prep school master in Shropshire, with a pipe, patches on his elbows, and terrible memories.

He would have been bound to his domineering mother — and half enjoyed it. He would have gone on writing, but the great gifts stirred in him by the war would have died down as his memory faded.

Eventually, he would have found his way back to Catholicism, like Sassoon. He would have died in the early 1960s, honoured but slightly diminished by his later works, which would have suffered greatly from his hostility to Modernism."

A Tony Harrison of the 1920s, a left-wing social realist, a flag-bearer for old-fashioned verse that rhymes, or a burnt-out case: all are equally plausible. The career of Robert Graves, the longest survivor among the leading first world war writers, is an effective deterrent to facile extrapolation: had he too died

in 1918, as a promising young member of the gentlemanly Georgian school, only a clairvoyant could have foreseen Laura Riding, *The White Goddess*, the *Claudius* novels and *Majorca*.

Owen's squalid, senseless death froze him in glamorous potentiality, like Rupert Brooke: Binyon's weary words ("They shall not grow old, as we that are left grow old") unwittingly anticipate this process, and hint at something close to envy of those released from time and disillusionment.

Binyon himself was successful in all three of his careers, as poet, art historian and museum curator. But "For The Fallen" proved to be his only brush with popularity, and when he died in 1943, his intended magnum opus, the verse drama *Merlin*, was left unfinished.

TELEVISION: A Statement of Affairs

Sex and sin meet on the ledger

When the going gets tough, it seems, the tough go into accountancy

If the bond dealer was the hero of the 1980s, the exemplary figure of the 1990s looks set to be the accountant. An Icarus, tempted to fly too high above the bankrupt earth, buckling under pressure from a major client to be a little economical with the *actualité*, just this once (because next year everything will be hunky-dory): whoever said accountants' lives were safe and boring? All that 1970s Monty Python mockery seems way off-target. Compared with this high-risk, nail-biting stuff, lion-taming would be child's play.

Certainly in *A Statement of Affairs* (ITV last night), a new thriller about three recession-struck young professional couples, it was Adrian (Hear My Song) Dunbar's successful young accountant who seemed to have most of the best lines. He had the most glamorous wife, they had opted (smartly it appeared) not to have kids, and they lived more centrally and higher above ground than the others.

In fact, the locations chosen for the three couples' homes threatened for a while to distract attention from the people themselves. If you have ever (on your way to an RSC *Hamlet* or *Macbeth*) wondered what went on in those beehive Barbican towers, the voyeuristic zoom shot (taken from a helicopter?) in through a window showing Frances Barber's raunchy Pip straddling Robert, the accountant, while muttering mysteriously about divorce, may have simply confirmed your fantasies.

I have often wondered what dire necessity compelled people to live in those 1930s semi-detacheds in Hounslow West directly beneath the Heathrow flight path. Well, the problem for Robert and



Struggling: Rosalind Bennett in *A Statement of Affairs*

Pip's friends Alan and Sue (in whose living-room window a 747 appeared perfectly framed every 30 seconds, as in a video game) was that Alan (David Threlfall with oozing-sized ears) was an underpaid, and therefore embittered, policeman. The writer Eric Deacon had chillingly anticipated reality by making Alan's current case one of infanticide. The third couple, a yobbish builder played by Dorian Healy and his pretty but vapid wife (Rosalind Bennett), appeared to live on the set of a Derek Jarman film, in the shadow of Dungeness power station. These locations gave atmospheric opportunities for Derek Suter's camera, but also set up in my mind nagging concerns about how much time these people spent getting from one end of southeast England to the other. Friendships have to be pretty good to survive the M25.

Crucial to the drama was an acceptance that these six were indeed good friends. They

certainly spent a lot of time hugging each other, but there was precious little evidence of the affinities which had brought them together. Body language did duty for other kinds of language.

Not surprisingly, this first episode was less interested in investigating the nature of friendship than in keeping the viewer gripped by constant hints of impending menace and withheld sex. Colin Gregg, the director, kept the plot-lines commendably taut and the acting, especially from Dunbar (plausibly nice and worried), Threlfall (shading from frustration at low status into something darker) and Barber (was she playing a double game?) was altogether too good for the rather shallow if exciting material.

The sense was of people with their feet down in the fast lane, suddenly realising they might be heading the wrong way up a contraband.

HARRY EYRES

Animated talk of British Oscar

OUR cooking may be poor and our weather terrible, but we can at least make a good cartoon. This year, three of the five nominations for the "best animated short" Oscar are British: Peter Lord's *Adam*, Paul Berry's *The Sandman* and Barry Purves's *Screenplay*. If Britain wins on March 29, it will be our third animation victory in three years.

Our prowess can be further tested during British Animation Week, to be held from April 30 to May 6 at the ICA in London. World premieres will include *Stille Nacht III* by the idiosyncratic Quay Brothers and Mark Baker's *The Village*. Other highlights include a Bob Godfrey tribute and a focus on computer animation, including the announcement of the Soffimage Computer Animation Awards.

● A RUSSIAN accolade for Guy Woolfenden, the Royal Shakespeare Company's head of music. This month he travels to St Petersburg to conduct the Russian premiere of his ballet, *Anna Karenina*, which will be danced by the Kirov Ballet. Woolfenden will thus be taking musical coals to Newcastle: his score is compiled out of bits of Tchaikovsky. The three-act work, based on Tolstoy's novel, was commissioned by the Australian Ballet 14 years ago, and is choreographed by André Prokoviev.

Needle time

AGEISM is creeping into the war of words between Radio 1 and Virgin 1215, the national rock radio station to be

launched on April 30. Virgin claims that its DJs will have an average age of 33, nearly a decade younger than Radio 1's team. However, Virgin's youthful image is dented by its choice of star-turn: a live show from Los Angeles fronted by Emperor Rosko, who dates back to the earliest days of the pirate radio ships.

● MICHAEL YORK is the newest recruit to the Broadway production of *Someone Who'll Watch Over Me*, Frank McGuinness's hostage drama. Next month York replaces Alec McCowen, who is due at Stratford upon Avon to start rehearsing *The Tempest*. *Someone*, meanwhile, has shown endurance after mixed New York reviews. Many attribute its longevity to its Irish co-star Stephen Rea, who has gone from anonymity to stardom in America with his Oscar-nominated performance in *The Crying Game*.

Last chance...

THOSE wanting to take a look at the 19th-century theatrical antithesis of course go to *Trevelyan of the Wells* at the National. But the Royal Shakespeare Company's revival of Ostrovsky's *Artists and Admirers*, about thespians and their hangers-on in the Russian outback, has a Chekhovian subtext beyond the powers of Pinero. Phyllida Lloyd's deft, humorous production, with Sylvester Le Touzel as the actress who loses her job for resisting the advances of a starstruck prince, closes at the Pit (071-638 8891) on Saturday.



Characters in a dream world: a sensation of floating to be found in Clayden's *Inland*

If you want to know the answer, look up

GALLERIES: John Russell Taylor on an artist whose hard worked-for symbolism can puzzle even herself

Symbolism has always been at the heart of British art. But it is symbolism which resides in a charged atmosphere, rich with inchoate significance, rather than precise allegorical equivalences. Passers-by might ask of Philippa Clayden's somnambulist figures, as they asked of Beckett's half-buried "What lady in *Happy Days*? But no does she mean them? But no snap answer would be forthcoming: not if Clayden has anything to do with it.

Does she and should she? That is no simpler to decide in her new show at the Boundary Gallery than it was in her last, two years ago. There is no doubt that Clayden has moved on dramatically. The progression is partly by a species of deconstruction: whereas it has been Clayden's habit in the past to cover up completely the traces of her extraordinary working method, in some of the most recent pieces she has decided to leave exposed the evidences of how her mysterious images were arrived at.

The obvious "images" in her way of "finding" images in her materials is the Surrealist preoccupation with automatic writing, which to them liberates the unconscious. What Clayden does is to construct first the bases of her picture-making, sometimes from tatters of fabric crumpled, stuck and stitched together in a

crazy patchwork, sometimes by collaging together pieces of paper, used and unused, of varying weights and colours. Having got together these irregular work-surfaces, she then deliberates, sometimes for years, until through trial and error the images hidden in them start to emerge. Of course, at some level of consciousness she puts them

If we cannot decide for ourselves, Clayden is not going to tell us

there herself anyway. And what she has not at the conscious level already half-created, her subconscious proceeds to impose on the given, conveniently "finding" further reflections of her distinctive dream world, where oddly weighted characters meet and sometimes mingle (though seldom touch) as they float above the tiny houses and trees as in *Inland*, or engage in the airy rustic revels of *Pastoral Film*. Usually Clayden has been at pains to cover her tracks: the painted surfaces of *Pathfind-*

ers, for example, are so smooth and confident one would never guess what intricate processes lie beneath. But even in such highly finished work she is open to many interpretations. The rather intertextual-looking man approaching the domineering seated woman has seemed to some spectators to be offering her a bird which is about to flutter from his grasp. Clayden says this shape began in her mind as a distant clump of trees, but the more she thinks of the bird, the more reasonable it seems.

In some of the most recent work, however, she has found the courage to leave the processes more apparent. In the strange family portrait *Reunion* the scribbled black-and-white origin of the shapes is sometimes left for all to see. And to *Mythic Hike* she has even decided to come back to first principles: the embedded rope flung over the top of the picture, for long inscrutable to her conscious mind, has finally been allowed to return to its most obvious, literal significance: it is, of course, a hammock in which the sleeper reclines far above the action. Is he dreaming it all? If we cannot decide for ourselves, Clayden is certainly not going to tell us.

● Boundary Gallery, 98 Boundary Road, NW9 0JL (071-624 1126). Wed-Sat 11am-6pm, until March 31.

n Bausch they have their present age increasing the and Melba Ramis. In the second scene, the NADINE MEISNER programme was a group of "boles" and harmonies, de-

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مختار الناصر

THEATRE: Phil Willmott's latest fare, and Conor Murphy's foray into London low life

Message that's hard to swallow

Succulence
Man in the Moon, Chelsea

and completely devouring their bodies. "Incredibly, the creature is drawn to musical comedy song tunes. God help us in our struggle."

Unfortunately, lightning puts paid to him and we are left with his twin brother, a writer of wretched horror stories, who is thinly characterised and thus a boring fellow. His silly wife is equally thin, and disappointingly played by Maria Esposito; likewise Mark Woods' loveless priest. In the better scenes, Willmott, who also directs for the Steam Factory, comes up with bold theatrical coups, confounding expectation with a sudden shift of tone from calm to macabre. But on the evidence of this play — last year's *Stealing the Scene* was well received — he lacks discrimination, giving himself the licence to keep in stuff that should have been discarded with the first draft.

The actress who plays the thin-lipped, eager doctor is unidentifiable from the stage. Perhaps she is Carol Wilding. The episode when she sees the demon and the newborn baby fly out of the hospital is cleverly staged, and I was sorry when she was eaten to background voices singing "You Do Something To Me". But best of all is the playing of the demon, by David Hughes, as a kind of Neanderthal hunk, loping about the place, bawling and grunting, rolling his tongue around succulent words like "succulence". The play turns out to be a warning against apathy in our midst, but the paté looks tasty.

JEREMY KINGSTON



David Hughes "a kind of Neanderthal hunk, bawling and grunting"

Going nowhere in a seedy world

Fantasy Bonds
Old Red Lion, Islington

IT IS hard to tell where the little upstairs pub theatre ends and Conor Murphy's set design begins. The new play by Mick Mahoney, a former Verity Burgard Award winner, is set in a drinking club, and the leopard skin that lines the stalls and edges the counter, the exit and toilet signs looks all too authentic.

Authentic, too, is the word for Mahoney's dialogue. In a tawdry south London world of shady deals, sour marriages and opportunistic alliances, the debt-ridden club manager, Weasel, scuttles nervously between equally threatening poles of the telephone-bugging Customs and Excise and violence from menacing hives. Aggression lurks beneath the surface

and occasionally erupts, much as dogs suddenly snarl and snap before relapsing into a sullen truce.

The play comes over as a series of dialogues, totally convincing as the characters scheme, reproach and quarrel, but never leading anywhere. Mahoney seems to write in short scenes from a television series, with no apparent urgency as to coherence, aim or shape. The play's first half spins a flimsy thread of plot as Weasel awaits

his grandfather's death in hospital and the inheritance of the club as his own. He negotiates a partnership with a fantasist former pop singer; his disillusioned wife finds tenderness with a black jobbing-builder; and the act ends with the return of Weasel's mother after years of working disreputably in Miami's clubland.

Jenny Runcare acts Weasel's mum, with a mixture of witfulness, callousness, dignity and squalor that never adds up: the fault lies with the inconsistent writing that forces her to change character practically from one line to the next. Indeed, the plot's elliptical rambling is so inconsequential as to verge on the unentertainable, I even wondered whether some pages

had gone missing from the script without anyone noticing until I realised the author was directing his own play. He should know.

The pity of it is that the play shows a feeling for atmosphere and the dowdy, rasping speech of a society just one degree up from the bruiser. Wayne Norman's Weasel occasionally floundered through the author's excessive verbalism and played with small screen intimacy that should open out more. Elaine Loden, as Weasel's wife, gave a beautifully judged picture of bored unhappiness. But the play's subtitle might be "Eight Characters in Search of a Plot".

MARTIN HOYLE

ROCK

Trio with talent

Reader, Gregson, and
Queen Elizabeth Hall

ONE outcome of today's relative lull in record sales and the resultant dwindling interest in the contents of the charts has been a pleasing surge in support for artists neither fashionable nor controversial enough to merit hit status or a high media profile.

Certainly the crowd turning out for this, the only London date in an eight-tour tour by the temporarily allied threesome of Eddi Reader, Clive Gregson and Bob Hewerdine, was a large and well-informed one. Filling into the auditorium, fans of one or other of the individual performers could be heard briefing friends on the history and relative merits of their particular favourite. Thus drawn from three separate areas of support, they made up anything but the archetypal A-list-sweated crowd that cynics might have expected.

Reader is the former backing singer who experienced sudden success with

the short-lived Fairground Attraction, and who has since established her own personality with an excellent but sadly under-estimated solo album. Morrissey covers are generally folkish ventures, but she turned "Last Night I Dreamed That Somebody Loved Me" into an exquisite torch song, while an original composition, "Honey Child", provided a text-book demonstration of an extraordinarily athletic and lightly jazzy vocal style.

Gregson, meanwhile, best known for his work with Christine Collister, represents a slightly older and more traditional school of folk performer. He is a robust, spirited vocalist though, as "Romantic Genius" and the later "Secondhand Car" proved.

Completing the triumvirate, Hewerdine showed how his own direction has moved increasingly away from pop since the disbandment of the classically late 1980s group The Bible. Responsible for a string of intelligent, melodic but unappreciated singles, "Little Bits of Zero", "The World's End" and the threesome's current release, "Wonderful Day", each made the most of his different persona and ear for understatement.

Backed by drummer and percussionist Bob Peters, but otherwise only self-accompanied, Reader, Gregson and Hewerdine's travels end in Cambridge on March 21.

ALAN JACKSON

Love hurts in Japan

Al-Amour
Phoenix, Leicester

LONG-TIME colleagues Carliota Ikeda and Ko Murabushi were to have opened the Leicester International Dance Festival with their new duet, *Al-Amour*. But touring in Europe, Ikeda hurt her back and had to drop out.

Rather than leave the festival in the lurch, Murabushi agreed, with only two days for preparation, to adapt their material into a solo. Such was the intensity of his performance that one would never have guessed this hour-long piece was anything other than intended.

The beginning, for those of us who thought we had learnt something of the conventions of the Japanese dance form known as butoh, was a surprise. Not in the fact that he had his back to us, and stayed like that for quite a while; nor in the slowness of the movement. But he wore Western clothes (white shirt, dark trousers, although with bare feet, moved to Western light music, and had not painted his body white — just a dusting

of powder, I think, on his crotch and shaved head. Perhaps the real point about the rules of butoh is that there are none.

Even the way he moved, slight adjustments of balance on his feet, rotating first this shoulder, then that one, could have looked like disco dancing if done in time to the music, except that Murabushi was moving much, much slower. But soon we were on more familiar territory: as he stamped fiercely on the floor, sometimes from a big jump, or fell, rolled and stretched in agonised shapes, to the beating of gongs or to the sound of falling rain.

His powerful back arched in torment; his hands shook, his sitting limbs twisted into tortured distortions. We could gather that the distress had an inward cause when he brought on a bunch of long-stemmed roses, contemplated them, bleakly and smashed them, repeatedly, on the ground until the petals were scattered, red as blood, half across the stage.

The title, *Al-Amour*, means "love" in Japanese and French. No sweet sentiment here, however; by the end, he was a poor fool, almost naked creature, balanced upside-down on head and elbows as if fallen from heaven. A harrowing experience, but a memorable one.

JOHN PERCIVAL

LONDON

THE IMPORTANCE OF BEING EARNEST (1993). The play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

TURANDOT. Andrius Zebaitis's reliable production receives three more performances by the Royal Opera. It is a play in three acts, by Giuseppe Verdi. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

THE RUSSIAN ALL STARS. The company's staging of the Tolstoy play, *The Seizure of Power*, on ice, is intended to be a popular entertainment. It is a play in three acts, by Leo Tolstoy. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

RICARDO CUNILLI. Most prominent representative of Post Modernism in Britain. CUNILLI is a play in three acts, by Ricardo CUNILLI. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

LAUGH. Adam Smith as Bill Laughton in 1983. It is a play in three acts, by Adam Smith. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

THE ARTIFICE. A play in three acts, by The Artifice. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

BILLY LIAR. The Waterhouse-Hall success of 1980. It is a play in three acts, by Billy Liar. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

CAROUSEL. Triumphal revival of the Rodgers & Hammerstein musical. It is a play in three acts, by Carolee Lee. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

CRAZY FOR YOU. Thelma Houston's version of the Stephen Sondheim musical. It is a play in three acts, by Stephen Sondheim. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

CRIVANO DE BERGAMASCO. A play in three acts, by Crivano de Bergamasco. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

ENTERTAINING MR SLOANE. A play in three acts, by Entertaining Mr Sloane. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895. It is a comedy in three acts, by Oscar Wilde. It is a play that has been a mainstay of the repertoire of the Royal Opera House since 1895.

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TODAY'S EVENTS

A daily guide to arts and entertainment compiled by Karl Knight

Accademia Italiana. 24 Rutland Gate, SW7 2TS 3474. Tues-Sat, 10am-5pm (Wed to 4pm, Sun, 2-5pm, until Mar 14).

THE ENGLISH CONCERT. Now in its 20th anniversary season, the group plays J.S. Bach's Harpsichord Concerto, C.P.E. Bach's Third Symphony, and suites by Telemann. Wigmore Hall, Wigmore Street, W1 071 855 2141, 7.30pm.

PHILHARMONIA. The veteran pianist Alfred Brendel makes the kind of several appearances at the Philharmonia. Tonight he performs J.S. Bach's Keyboard Concerto and Mozart's Concerto No 24 in a programme with works by Britten and Benjamin. St. Paul's Cathedral, St. Paul's Churchyard, SE1 071-855 2141, 7.30pm.

BRISTOL. Welsh National Opera sets off on its spring tour which will take the company to the Royal Opera House in April. On offer this week are *Don Giovanni* and *La Bohème*. Bristol, 0117 855 2141, 7.30pm.

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THEATRE GUIDE

Jeremy Kingston's assessment of theatre showing in London

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Mixed responses to change

Matt Wolf considers the challenges and opportunities facing artists in South Africa as the country moves towards democracy

The South African papers are calling it "make or break" year for the new democracy. And on a summer night, just north of Cape Town, one cultural event suggests the country that might yet take shape. The place is the amphitheatre at Stellenbosch, a predominantly Afrikaans university town; the event, an open air concert by the African Jazz Pioneers.

The 11-member band (ten blacks, one white) is bringing the sellout crowd joyously to its feet, mingling jazz standards like "Hello, Dolly" with traditional African mbaqanga, kwela and marabi music. The mixed race audience moves spontaneously, almost singly, to the music. For a moment one forgets that this nation's future remains up for grabs. If a concert can be a metaphor for a country, then these musicians are indeed pioneers, pointing a way forward at an uneasy time.

Elsewhere in South Africa, proceedings are considerably less buoyant on stage and off: the unity celebrated by the Jazz Pioneers all too rare. In Johannesburg an increasingly fearful white populace ventures out infrequently to the city's auditoriums, turning instead to the cinema multiplexes of the northern suburbs and that relatively new South African phenomenon, television. Blacks, meanwhile, search for culture that might speak to them, only to find slick brochures advertising the off-Broadway musical, *What About Love?* and "that firm favourite, *Rigoletto*". Is it any surprise the African community is responding instead to the rap artists seen nightly on television, or to the timely arrival in January, at Soweto's one cinema, of Spike Lee's 1989 film, *Do the Right Thing*?

In the more relaxed Cape Town, the Nico Theatre Centre performs opera and ballet warhorses (*The Merry Widow*, *Swan Lake*) to the same dwindling white public that sits stiffly through black playwright Matsenela Menaka's *Ekhaya: Museum over Soweto*, unsure how to take the work's mixture of didacticism and jive. Even the Nico Centre itself exists in uneasy limbo. Once home to exclusively white culture for an exclusively white audience, the centre, like the four performing-arts councils which fund its equivalents throughout the country — is derided as an "apartheid dinosaur". To co-opt P.W. Botha's famous 1981 political imperative, the centre, indeed the entire cultural community, must adapt or die.

That process of adaptation can be

either heady or immobilising, depending on the stakes involved and the willingness of the public to follow suit. Art world practitioners exist in the overdue legitimacy conferred upon a community where, says Johannesburg gallery owner Linda Goodman, "apartheid has always been virtually ignored anyway". Now, she says, international observers can discover fully the breadth of talent, black and white, pulling South African art into the international marketplace. At the South African National Gallery in Cape Town, curator Marilyn Martin busily prepares exhibitions of African textiles and beads to go alongside the gallery's permanent holding of Piranesi and Lorrain.

Elsewhere the task at hand is decidedly fuzzier. Johannesburg's Market Theatre, the country's top venue for new drama, presses on with politically aware plays from South Africa (Athol Fugard's *Playland*, now at the Donmar Warehouse in London) and abroad (Ariel Dorfman's *Death and the Maiden*). Yet it gets its biggest audience from the gentler British tearjerker *Shadowlands* and an indigenous musical, *Faithful*, which could be the country's very own *Five Guys Named Moe*.

Geography does not help. Situated on the western edge of downtown, minutes from the taxi ranks where violent clashes last month led to an official state of unrest, the Market Theatre is a victim both of location and of the changing times. During apartheid, it offered theatre-as-journalism, informing a clamorous public about the iniquities of a system not adequately reported elsewhere. Now, with the retreat of the apartheid enemy and the ready availability of news, the public wants relief, not reportage.

Small wonder, then, that audiences are as likely to be found across town at British imports like *Shirley Valentine* or *The Woman in Black* as at a bracing contemporary South African two-hander like Paul Slabolepszy's *Mool Street Moves*. Protest theatre in the agitated sense may in fact be dead, but the new South African doesn't seem to want its logical follow-up: current drama relating to its countrymen's current lives. "There's no question we have to continue to work, you begin to see so many lines that can be investigated," says artistic director Barney Simon. "The question is whether an audience exists to sustain that investigation."



Ntumi Piliso of the African Jazz Pioneers: mixing jazz and African sounds for a multi-racial audience

The stories told are likely to be different from what they once were, since art about transition and change is by definition more amorphous than art about oppression. If the theatre struggles to match that work to a willing public, the cinema is at last free to record on screen a society previously left to the page and stage. "This is a wonderful moment to be making South African stories: it's tremendously liberating. Anything is possible," says writer/director Elaine Proctor, a 32-year-old Johannesburg native whose film *Friends* is now being edited in London prior to a hoped-for Cannes premiere. During apartheid, films about

South Africa were rare, and the most high-profile among them — *A Dry White Season*, *Cry Freedom*, Morgan Freeman's upcoming *Bopha!* — were shot in neighbouring countries, usually Zimbabwe. Now, serious film-makers can address the country on its own turf. Beyond *Friends*, Channel 4 has plans to film *Tsotsi*, a tale of black street life directed by Mira Nair (*Mississippi Masala*). Hollywood is content primarily to discover South Africa's scenic potential and its cheap labour, leading to such projects as Paul Michael Glaser's *The Air Up There*, with Kevin Bacon, which just finished a month of location shooting. But the hope is

that other directors will find the funds to examine the country's substance and soul. Where, then, does the cultural future lie? ANC activist Albie Sachs warns in a recent essay against "recycling the baby with the bathwater", adding that "the new South Africa would be a charmed place if we were banned from hearing Bach". And yet how fitting it is that this same man, recently returned to Cape Town after 24 years in exile, is one of the first up on his feet, swaying, at the Jazz Pioneers concert. What's needed, he writes, is neither Eurocentric nor Afrocentric, but human-centred. That must be the essential point.

CONCERTS

Key largo that unlocks tragedy

Philharmonia/
Slatkin
Festival Hall

Shostakovich never wrote a more touching, more tragic, more convincing movement than the opening Largo of his Sixth Symphony. Its key is its rhythm, which is flexible and instinctive rather than imposed, clothing a sad, heartfelt lyricism which goes hand in hand with moments of high, desolate drama.

But then all is thrown aside, first in a scherzo of undoubted brilliance and then by a finale of circus-like triteness. If Shostakovich wanted to be sardonic, surely this was not the place? Did he really have problems carrying such a weighty opening statement through to a workable conclusion? Or was he simply trying to counterbalance all that grimness, to cheer his listeners as Europe erupted in war?

Leonard Slatkin's performance with the Philharmonia Orchestra raised those questions again precisely because of its own, stunning conviction. No conductor can be more relied upon to produce compelling, as opposed to merely polished, performances. Perhaps such stretching out of that first movement would not work well on record, but here the atmosphere was charged with concentration and emotion. Every colour, every phrase bore the marks of that special alchemy of thorough preparation and risk-taking spontaneity.

Another exceptional artist, the Russian pianist Evgeny Kissin (reviewed in recital below), had earlier produced a fine performance of Prokofiev's Third Piano Concerto. Kissin's playing is frighteningly accurate and formidably powerful. He and the instrument are a single organism, not opponents in a battle of mastery. Yet he also holds in reserve a delicacy of touch which showed itself, for instance, in the first movement of this marvellous piece. James MacMillan's *Sinfonietta* of 1991 introduced the evening. Consisting basically of a lush, slow-moving, near-minimalist texture, punctuated by increasingly frequent grotesque gestures, it has a cosy naivety which lends it superficial appeal. The manner is reminiscent of Schnittke, but Schnittke's native works better than MacMillan's because he seems slightly detached from it. When the piano made its solo contribution near the end of this work, two words entered my head: sentimental and kitsch.

STEPHEN PETTITT

Alternative frisson

Vienna SO/
de Burgos
Symphony Hall
Birmingham

The Vienna Symphony Orchestra is not the Vienna Philharmonic: it has neither the style nor the technical sophistication. There is no reason why it should have. It has its own distinctive qualities, not least its finely balanced and scrupulously clear textures, and there is evidently nothing it will not do for its principal conductor, Rafael Frühbeck de Burgos.

From the beginning of their performance of Mahler's Third Symphony, where the percussion colours were registered in unusually and fascinatingly precise detail, it was apparent that no effort would be spared in presenting the score exactly as Mahler wrote it. So, although the first part was lacking in spontaneity, except in the eloquently executed trombone soli, the basic argument was exposed in all clarity. The earthly delights of the next two movements were reflected in vital

rhythms and attractively turned phrasing. The turning point came with the entry of the mezzo soloist, Margareta Himmermeier, whose firm line and sure intonation elevated the interpretation to another level. After a radiant fifth movement, with authentically fresh contributions from the ladies of the CBSO Choir and boys of Shrewsbury School, inspiration was sustained throughout the length of the daringly extended, slow moving finale. Interpretative virtuosity, which long-term truth above sensation, was rewarded.

GERALD LARNER

RECITALS: Two Russian pianists make eagerly awaited appearances in London

Self-portrait in the grand manner

When a Russian pianist pronounced great does not play in London for ten years, he becomes something of a legend. Perhaps, in the end, he becomes one with that legend itself.

The 63-year-old Lazar Berman arrived, at last, with a programme of transcriptions: Liszt transcribing Schubert, Liszt transcribing himself, Mussorgsky transcribing an art exhibition. They turned out to be largely transcriptions of Berman himself.

After his American debut in 1975, Berman travelled the world, captivating audiences with his grand Romantic style. It is one we are not accustomed to hearing these days, and the shock is considerable.

What hammer horrors, for instance, at the heart of this *Liszt Funerailles*: the fathomless, tolling notes of its start, the octave-galloping hooves of the horsemen of the Apoca-

Lazar Berman
Festival Hall

lyse themselves at the finish. And this *Erklohnit* within Liszt's relatively literal transcription of Schubert's song, what terrorised dialogue of right and left hand, what a drumming of evil and a wraith of innocence, all summoned up from the single, bear-like frame, hunched over the piano.

So gripping was Berman's way with these pieces that the listener was willing to overlook the lack of poetry, of differentiated movement or texture, in Liszt's *Harmonies poétiques*: to live with, and even enjoy, the rhythmic licence and lack of dramatic direction in "Gretchen at the Spinning Wheel". (What, I wondered, was young Evgeny Kissin reviewed below — making of the same piece at exactly the



Lazar Berman: legendary master of Romantic style

same time across the river? Once one had the measure of Berman's gargantuan pianism and indulgent idiosyncrasy, the shock of the new began to give way to a slight

impatience. The palette began to seem limited: the music reduced by its very inflation.

To Liszt's *Sonata 104 del Petrarca*, after all, there is far more than lampblack and flake white. Phrasing tended to become lost in figure, melodic contour ravaged in metamorphosis.

Berman's portrayal of the Great Gate of Kiev at the end of Mussorgsky's *Pictures from an Exhibition* was a magnificent peeling forth of all the church bells of Mother Russia — and a potential scattering of all the hammers of the piano too.

If only the individual pictures on the way had been, in their own scale, as full of colour and incident. As it was, Mussorgsky seemed to have missed his way and ended up in a museum of Soviet statuary: massive, monolithic, and long petrified.

HILARY FINCH



Orpheus and Eurydice: "a cyclical poem of death where all the elements combine in a spectacle of stark grandeur"

Actions speak as loud as words

DANCE: Pina Bausch restages her 1975 version of Gluck's *Orpheus and Eurydice*

Tanztheater
Wuppertal
Opéra Garnier, Paris

Almost twenty years ago Pina Bausch was creating choreography as distinctively beautiful as her choreography today. Then, she had only recently stepped into her post as dance director of the Wuppertal Bühnen and was seriously rustling the traditionalist feathers of her audiences. Even so, many recognised the monumental achievement of her versions of two Gluck operas: *Iphigenia in Tauris* (1974), and *Orpheus and Eurydice* (1975).

Bausch has remounted them — first *Iphigenia* (in 1991) and now *Orpheus and Eurydice* — presenting them also in Paris and inviting the original performers back to their roles. So it was that at the Opéra Garnier Dominique Méry danced Orpheus, and Malou Airaud was Eurydice, accompanied by the orchestra and singers of Wuppertal in a German translation of Calzabigi's libretto.

Gluck and Calzabigi had fought against artificiality in the cause of truth and simplicity. In Bausch they have their perfect counterpart. Pared

down and expressive, naturalistic yet ritualistic, her modern dance has an eloquent directness that reaches straight to the heart. It adds an extra resonance to the opera, enriching rather than superfluously mimicking, while the opera in turn gave Bausch that enlarged theatrical dimension which she had later sought for herself.

The performers and the designs by the late Rolf Borzik make no small contribution. Méry's extraordinary, near-naked Orpheus is a figure stripped down to vulnerable human-ness, locked in grief-stricken silliness or dancing with dishevelled abandon, his present age increasing the poignancy.

Borzik has divided the production into four spare, symbolic tableaux. White cloths, suggesting Eurydice's wedding veil or shroud, form rectangles, as does a giant glass cube standing like a coffin, a heap of earth visible inside. A wintry, uprooted tree lies on its side; in an opposite corner, on a high pedestal, sits Eurydice, removed and inaccessible, red flowers on her knees; and all the while the ensemble dancers bring their vivid group patterns to this composite picture.

They are the mourners; the equivalent of the opera chorus that sings hidden in the pit. By contrast, the singer representing Orpheus, the contralto Veronika Waldner, appears on stage with her dance character, moving autonomously yet always linked — as do the two sopranos doubling Eurydice and Amour, Jennifer Trost and Melba Ramos.

In the second scene, the

ensemble dancers (and chorus) become Furies, controlled by a Cerberus made up of a male trio, whose leather aprons give them a look halfway between refuse collectors and morgue attendants as they transport a newly arrived cadaver.

In the grey void of the final scene, the doubt that tears the lovers apart is matched by the impetuous disarray of the choreography, the anguish on Airaud's face unbearable. With theatrical canniness, though, for Orpheus's final verses Bausch leaves the action to the singer, tenderly bent over the twin dead bodies of Eurydice, while the dancer in his shocked immobility turns into a corpse claimed by Cerberus.

In place of the usual reunion in eternity Bausch ends with a reprise of the mourners of the opening. Hers is a cyclical poem of death where all the elements — decor, dance and music (under Peter Gülke's excellent baton) — combine in a spectacle of stark grandeur.

NADINE MEISNER

Five years ago, a 17-year-old Russian pianist called Evgeny Kissin played with the London Symphony Orchestra at the Barbican and created something of a sensation. Since then, his career has taken off — his performance of Prokofiev's Third Piano Concerto with the Philharmonia is reviewed above by Stephen Pettitt — but until Sunday afternoon he had yet to make his London solo recital debut. That eagerly awaited occasion aptly confirmed that here is a potential genius of the keyboard: a musician possessing an awe-inspiring technique, yet capable of the most subtle, delicate, poetic playing.

"Potential" is, however, the operative word. Kissin has the ability to hold an audience spellbound; but too often he sacrifices the inward quality of which he is capable, in favour of a lightning burst of speed or a thunderous eruption of fortissimo.

In his accounts of Brahms's *Fantasies*, Op 116, each of the three Capriccios was taken

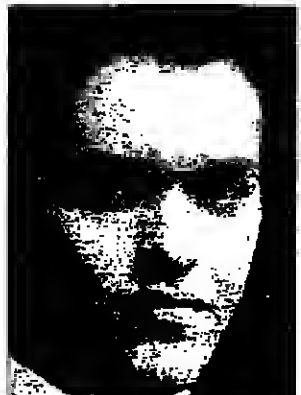
Dazzling in all but the detail

Evgeny Kissin
Barbican

with that extra edge of speed that is just enough to lose important details of harmony and rhythm, without any obvious compensation. The four intervening Intermezzi, on the other hand, were taken at exceptionally slow tempi.

Willful as this undeniably sounded, it produced some exquisite results. The central *dolce* passage of No 4 in E major, for example, has never sounded so rapt, so celestial, even if Brahms's down-to-earth humanity sometimes seemed to have given way to the ethereal elusiveness of Debussy.

A welcome item on the programme was a group of



Evgeny Kissin: a potential genius of the keyboard

four of the Liszt transcriptions of Schubert songs. These wonderful pieces, with their graceful ornamentation of some of Schubert's most inspired melodies and harmonies, de-

served to be heard far more often. The key to their success is the integration of the melody — which usually emerges from deep in the texture — with the virtuosic accompaniment figure, which must always remain subsidiary.

Kissin achieved this most spectacularly in "The Trout", where both hands seemed entirely occupied with rippling accompaniment, yet somehow managed to yield a tune as well. In "Gretchen at the Spinning Wheel", the accompaniment texture was rightly built to contribute to the surge of erotic tension. In the remaining two pieces, however, one was aware of a tendency to mistake the sequence of loudly struck notes for a singing line. Dazzling virtuosity was again evident in Schubert's "Wanderer" fantasy and Liszt's *Spanish Rhapsody*. Whatever questions Kissin's playing raises, there is no mistaking a giant of the keyboard in the making.

BARRY MILLINGTON

Richard Evans finds Mick Easterby in buoyant mood before title challenge

Coulton equipped to scale heights

MICK Easterby changed down a gear in his Trooper truck as he made the arduous climb to his top yard, overlooking the snow-capped Howland Hills, a dozen miles north of York. "There's no escape for lazy horses up here," he said. "If they don't win, it's not because they're not fit."

To the left of the road one of his gallops plunged downwards with a ferocity which would have caused Franz Klammer to think twice. At the top, a road sign next to a converted barn warned descending motorists of the hill's severity — one in six.

Inside the barn, along with assorted cockerels, hens and bales of straw, Coulton looked at peace with the world. The

to depart, a vet for the prospective clients failed Coulton for supposedly having open knees, which would not stand up to the rigours of training in Hong Kong.

Collins has an arrangement with Easterby whereby he offers him horses which have not passed the vet. As often as not, the pair do a swap with a vet's reject being replaced by one of the countless horses which seem to appear in every nook and cranny of Easterby's 1,500-acre farm.

"When we broke him in, I cantered him and schooled him as a two-year-old he was always a natural. You could tell very early, but he was too big to race. I just turned him out; he was one of many," Easterby recalled.

The deal epitomises Easterby, a wheeler-dealer par excellence who loves nothing more than spotting an equine bargain, completing a shrewd deal, before selling the horse on — usually at a profit.

"Spitting Mick's" reputation hardly begins to do justice to the man. Now 61 years of age — "I feel like 30" — he looks after the penitents and lets the pounds look after themselves.

Blunt speaking, yet wiser than any owl, he is the ultimate product of life's finishing school. His addition to Yorkshire, farming and horses precludes holidays. "I am frightened of missing something. We can go on holiday if and when we pass into another world, but I don't intend going yet."

Complete with braces, a colourful hankerchief which fulfils a variety of roles, he supervises his horses and staff like a sheepdog rounding up his flock. Sometimes barking and cajoling, more often joking. His stables are like no other. Farming, in the shape of various bits of machinery mingles with training. In one



Champion contenders: Mick Easterby offers words of encouragement to Coulton

stable he showed off a device he invented for cooling off horses' legs. In another yard two three-year-olds are kept in adapted stables which owe their design as much to farm animals as horses. "Farming is a hobby compared to training — it keeps you sane."

He cannot remember life without horses, whether it was with his father at Huddersfield or Uncle Walter at Tadcaster. "My father always told me when I went wrong and not when I went right. After I rode my first winner at Sedgfield I was so chuffed I felt I was a million. On the

way back I was sitting in the back of his car and he said: 'One thing is for sure, you will still be claiming 7lb when you are 70.' He was right too."

He reflected: "I started with Uncle Walter when I was 16. I worked all morning in the stables and every afternoon on the farm. He was a very kind man but never paid any money."

He once sent us to Newmarket with three horses for the sales and gave us ten shillings to cover three days. He thought he had given us the world."

Aside from his humorous anecdotes, Easterby is as serious as any trainer. He was into interval training before the term was invented and, similarly, has been a disciple of blood testing horses for almost a decade. He does not miss a trick.

When Coulton won his last race at Nottingham, he took 39 strides after clearing the last flight of hurdles, compared to 42 and a half by the runner-up. "He has got such a fantastic stride he takes less of himself. It gives the impression he is not going as fast as he is."

Coulton, jointly owned by Edward Scouler and Martin St Quinton, finished his morning's work and Easterby disclosed: "I had a premonition before we booked a jockey that we would get Mark Dwyer and Coulton would win the Champion Hurdle and the Gold Cup."

"I think he has got a favourite's chance in the Champion Hurdle, but he will need luck in running as it is a big field. Coulton's temperament is out of this world. He could travel to the moon and back and it would not bother him."

Nap: TEMPLE GARTH (4.50 Sedgfield)
NB: On The Hooch (3.50 Sedgfield)

favourite for the Champion Hurdle, named after a nearby village, was about to be walked to the valley below before cantering five furlongs up to his home at the top of the forbidding hill. Not once. Twice. Just a routine morning's exercise. No escape.

When Coulton clears the last at Cheltenham next Tuesday and faces the climb up jump racing's most famous slope, it will feel almost like going downhill.

In fact, the chestnut should not be at Cheltenham at all, or stabled in the glorious wilds of Yorkshire. When he was bought as a yearling for 10,500 guineas by Nico Collin of the British Bloodstock Agency, it was with the intention of racing in Hong Kong. A month before he was due

National dreams fade for Quirinus

By Alan Lee

AIN'TREE'S fences remain a compelling forest to jockeys from around the world but on the evidence of a sunlit afternoon at Windsor yesterday, this year's Czechoslovak assault on the Grand National is among the most fanciful even this race has known.

It takes a special sort of horse to win the formidable Vike Pardubicka, but it takes quite another sort to win a handicap chase in England, especially carrying top weight on firm ground.

Quirinus, who won the Pardubicka last October and was running for the first time in this country, was just jumping the second last fence as the dead-heating Farm Week, trained by Toby Balding, and John White's Brave Defender went past the post in the George S Hall Handicap Chase. Ladbroke's extended his Aintree odds from 100-1 to 500-1 and they were not knocked over by takers.

Kevin Morgan, who has trained the 11-year-old since he came to England two months ago, was neither surprised nor downcast. "He jumped big, a typical first run by a horse from overseas."

In addition that he would give Quirinus another run before Aintree, Morgan did not shirk the truth. "This is all being done as a sporting thing. It's a question of getting him there on the day and everyone having a good day

out. I don't think the Aintree fences will bother him. The problem will be the speed of the race. He hasn't the class to lay up."

There was similar realism from the jockey Jaroslav Brecka, known to all as "Chico" and the 27-year-old champion in his native Slovakia. "I want to complete the National course as I have no chance of winning," he said in excellent English. "My horse is strong but not fast."

Mission impossible, then, but the horse will still run at Aintree and three coachloads of supporters will be arriving in Liverpool from the Slovak town of Senica, home to Quirinus and his jockey.

Brecka was attracting all the attention yesterday while the winners were ridden by Adrian Maguire, for whom the dead-heating Farm Week was part of a treble.



White Brave Defender shared the spoils

Jeremy Tree dies

JEREMY Tree, trainer of four classic winners, as well as the 1985 Prix de l'Arc de Triomphe victor Rainbow Tree, died on Sunday.

Former assistant Roger Charlton, the successor at Tree's stables in Beckhampton, Marlborough, said yesterday: "It goes without saying that he had a great influence on my life. No man could have been kinder. He was always associated with the yard and still lived here."

Tree entered racing as pupil assistant to Dick Warden in Newmarket and began training in his own right in 1952, succeeding Noel Murless at Beckhampton.

His first winner was Court Life at Birmingham in 1952 and three years later he landed the Goodwood Cup with Double Rose. Only For Life provided him with his first classic in the 1963 2,000 Guineas. Oaks successes followed with Juliette Marry (1975) and Scintillate (1979). Known Fact won the 1980 2,000 Guineas on the disqualification of Nureyev. Rated best of all however was Rainbow Quest.

Obituary, see page 21.

RESULTS FROM THE RACES

Windsor

Going: firm
2.20 (2m 4f) 1. Albemarle (J Kent 9-1), 2. Cultured (4-7) 3. Somers (12-1), 10. 1.10, 2.10, 3.10, 4.10, 5.10, 6.10, 7.10, 8.10, 9.10, 10.10, 11.10, 12.10, 13.10, 14.10, 15.10, 16.10, 17.10, 18.10, 19.10, 20.10, 21.10, 22.10, 23.10, 24.10, 25.10, 26.10, 27.10, 28.10, 29.10, 30.10, 31.10, 32.10, 33.10, 34.10, 35.10, 36.10, 37.10, 38.10, 39.10, 40.10, 41.10, 42.10, 43.10, 44.10, 45.10, 46.10, 47.10, 48.10, 49.10, 50.10, 51.10, 52.10, 53.10, 54.10, 55.10, 56.10, 57.10, 58.10, 59.10, 60.10, 61.10, 62.10, 63.10, 64.10, 65.10, 66.10, 67.10, 68.10, 69.10, 70.10, 71.10, 72.10, 73.10, 74.10, 75.10, 76.10, 77.10, 78.10, 79.10, 80.10, 81.10, 82.10, 83.10, 84.10, 85.10, 86.10, 87.10, 88.10, 89.10, 90.10, 91.10, 92.10, 93.10, 94.10, 95.10, 96.10, 97.10, 98.10, 99.10, 100.10, 101.10, 102.10, 103.10, 104.10, 105.10, 106.10, 107.10, 108.10, 109.10, 110.10, 111.10, 112.10, 113.10, 114.10, 115.10, 116.10, 117.10, 118.10, 119.10, 120.10, 121.10, 122.10, 123.10, 124.10, 125.10, 126.10, 127.10, 128.10, 129.10, 130.10, 131.10, 132.10, 133.10, 134.10, 135.10, 136.10, 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Pride of Teesside cracking under the strain

By BARRY PICKTHALL

AS YET another storm lashed the British Steel Challenge fleet yesterday, Ian MacGillivray, the skipper of the last-placed yacht, Pride of Teesside, reported that cracks had appeared on either side of the skeg supporting the rudder.

"We have a crack on either side of the skeg which have been leaking," MacGillivray said. "We've cured the leak for the moment, but we haven't cured the crack. We are just hoping we don't get a really big storm again and perhaps breaks off and sinks the boat. The only thing we can do is press on and hopefully get to Cape Town, then get the boat lifted out of the water before it gets too bad."

The two-inch long crack in the outer plating is a recurrence of an earlier problem that affected the yacht during the last stage of the race around Cape Horn. The damage was deemed superficial by a surveyor when the yacht was hauled out for repairs at Hobart, and Andrew Roberts, the race technical director, said yesterday that there was nothing to suggest the problems are serious.

Roberts said: "We are obviously concerned and have asked the crew to check the extent of the cracks each day, but the skeg and rudder assembly is massively over engineered. There is no chance of it breaking off."

As a precaution, the Teesside crew has moved northwards into warmer waters and avoided the worst of the

weather that battered the rest of the fleet yesterday. Indeed, it gained from the move, reducing the deficit on ninth-placed Interspray by 18 miles.

Pete Goss, the skipper of Hofbrau Lager, now fighting to retain third place from Rhone-Poulenc three miles astern, reported: "This is perhaps the worst storm yet. The seas are particularly bad and we are constantly laid over with all winches under water. One wave had all the books across the saloon and into the super."

On Heath Insured, a crewman, Jonathan Goodall, reported that they had suffered steering failure for the third time during this race. "Having experienced the problems before, the

crew knew exactly what to do. Repairs were soon effected and Heath was on her way again.

"We are now making eight knots into a heavy swell, the 40-ton steel hull reverberating as she thuds into a wave or tumbles 30ft off another. Ironically, just 24 hours earlier, we were drifting backwards towards Australia at 1.5 knots, totally becalmed. This race has a bit of everything."

LEADING POSITIONS (at 15:00 GMT yesterday, with miles to Cape Town): 1. Group 4 Securitas (M Golding), 1,616 miles; 2. Nuclear Electric (J Chubb), 1,705; 3. National Lager (P Goss), 1,814; 4. Rhone-Poulenc (P Phallos), 1,821; 5. British Steel II (R Tudor), 1,821; 6. Commercial Union (R Mervin), 1,831; 7. Cooper & Lyons (V Cherry), 1,832; 8. Heath Insured (A Donovan), 1,835; 9. Interspray (P Jones), 1,882; 10. Pride of Teesside (MacGillivray), 2,000.

Compiled by British Telecom

Ian MacDonald-Smith, the Olympic gold medal-winner and former sailmaker, has been brought in to manage Britain's Whitbread Round the World Race entry, Dolphin, crewed by a group of hand-capped sailors led by James Hatfield.

The team, which has yet to formally enter the race starting from Southampton in September, still requires more than £1 million in sponsorship and this shortage of cash has curtailed plans to train the crew on four pre-race transatlantic crossings.

The yacht, designed by Rob Humphries, also suffered damage during a trial sail to Ireland, and is now back in the builders' shed on the Hamble undergoing repairs.

Senna will drive in South Africa

AFTER a winter of procrastination, the three-times Formula One world champion, Ayrton Senna, has decided to compete for McLaren in the season's opening grand prix in South Africa on Sunday (Oliver Holt writes).

Senna, 32, had been reluctant to commit himself to the Woking-based team unless it could provide him with a car capable of challenging Williams, who swept to the title last season. He appeared doubtful that the new Ford-powered cars would be competitive and was also rumoured to be facing a substantial wage cut after Honda's withdrawal from the McLaren set-up.

But yesterday a McLaren spokesman announced the Brazilian would partner the American newcomer, Michael Andretti, at Kyalami. He could not confirm how many races Senna would contest and discussions about future races may still be pending. Senna recorded the fastest unofficial time in testing at Silverstone this winter last week. The team may run three cars for some races but Mika Hakkinen, the Finnish driver poached from Lotus, may become the season's best paid test driver.

Bowe-Holyfield date

BOXING: Riddick Bowe, the World Boxing Association and International Boxing Federation world heavyweight champion, will have a rematch with Evander Holyfield in Las Vegas on September 10, his manager, Rock Newman, said yesterday. Bowe, who won Holyfield's unified title last November, would earn \$17 million (£11.7 million) and Holyfield \$8 million from the rematch. Both will first have to come through a preliminary bout, though. Bowe, who beat a fellow American, Michael Dokes, in his first defence, has to box on May 22 under a contract he signed with American cable television against either Jesse Ferguson or Alex Garcia. Holyfield will have a bout in June.

Dakar gains extra leg

MOTOR RALLYING: The Paris to Dakar rally will be run from the French capital to Dakar and back again for the first time next year. Organisers, keen to restore the race to its former standing after a record low of 150 vehicles started this year's race, have set a target of 300 for 1994 and introduced measures to encourage amateurs to take part in the 12,000km race. The route will take drivers through Spain to the Senegalese capital via the west coast of Africa. On the way back they will drive through Mauritania and Algeria before crossing the Mediterranean to France.

Petrenko seeks consent

ICE SKATING: The Olympic men's champion and pairs title-holders, who turned professional last year, will apply for reinstatement to defend their titles at next year's Winter Olympics in Lillehammer, Norway. Viktor Petrenko, of Ukraine, who won the Olympic title in Albertville, will apply after this week's world championships in Prague. The pairs champions, Natalia Mishkutenko and Artur Dmitriy, of Russia, have submitted their application. Jayne Torvill and Christopher Dean are among other former Olympic champions still considering whether to apply.

Knights of the road

ATHLETICS: Bupa is to spend £800,000 over the next three years in support of a road running sponsorship covering the five international Great Runs as well as 40 of the leading club races. At yesterday's launch, the Olympic medal-winner, Brendan Foster, who said British men's distance running was "in a mess at the moment" said he believed the sponsorship could help to change that state of affairs and be particularly significant at club level. "To be good on the track, you need to be competitive at cross country and then at road racing," Foster said.

Hill returns to Havant

HOCKEY: Rob Hill, 25, an Olympic gold medal-winner with Great Britain in 1988, has announced he is to return to his former club, Havant, which he left at the start of this season to play for Firebrands in Bristol. A farmer in Somerset, Hill had said he was tired of making 200-mile round trips to Havant but admitted yesterday: "Havant is a special club and it was a case of absence making the heart grow fonder. I've really missed the set-up." Havant have struggled without Hill, a short-corner specialist, and have lost the national league title they had held for two years.

Car crash kills referee

ICE HOCKEY: Mick Curry, Britain's leading ice hockey referee, was killed in a two-car road accident yesterday on the A1 near his home at Hettton-le-Hole, Co Durham. Sean Byrne, a linesman, who was a passenger in the car, is in intensive care in hospital. Curry, 37, who had officiated at the Heineken premier division fixture between Peterborough and Humberston at Peterborough, represented Durham Wasps during his playing career. He had been selected to referee for the first time in the forthcoming world championship A pool.

White Shark on prowl for bigger fish

Patricia Davies

follows in the spike marks of a resilient Australian breaking golfing records close to home in Miami

Greg Norman, the man the golfing gods have battered over the years, is not easily done down. He is the original resilient Australian, now with added Florida gloss. On Sunday he won the Doral-Ryder Open at Doral country club in his adopted home state in record-breaking style. He led from start to finish and his total of 268, 23 under par, was a tournament record. The first prize was \$252,000.

Norman's third round of 62, which propelled him into a lead of six strokes, equalled the course record he set in 1990 and included a run of ten birdies in 13 holes. As Nick Faldo, the world No. 1 who tied for sixth place after a closing 66, said: "He's always had that capability."

Norman has also been capable of squandering sizeable leads, but he is not a man to dwell on the past: the future is what interests him. He has mapped out a seven-year plan — taking him up to the age of 45, when he intends to re-evaluate his priorities — but refused to go into specific details, although he did concede that winning on Sunday was one of his goals.

"I wanted to win early," he said, "and I've scheduled a lot of golf before the Masters."

Winning at Augusta must certainly be part of the Norman plan and he gave a little hint of what he was aiming at when he agreed he would have enjoyed being the first winner of the Doral to score in the 60s every round but added, "Nobody's ever done it at Augusta either — I'd rather do it there."

On Sunday, a round of 70, two under par, was all Norman needed to win on a course that lived up to its tag of the Blue Monster only on program day, when the wind whipped through the palm trees.

"It really is hard to play with a six-shot lead," Norman said. "But I did what I had to. I had the situation covered. I hit the right shots at the right time. Not losing with a six-shot lead makes me feel I bit the head off a snake."

Until this year, only one man — Fred Couples, when he was runner-up to Ray Floyd last year — had had four



One that got away: Norman watches ruefully as a birdie putt goes astray on the 14th green on his way to triumph in the Doral Open

rounds under 70 at Doral. This year, in the benign conditions there were three — Mark McCumber and Paul Azinger, who shared second place, four shots behind Norman, and Sandy Lyle, who was fifth, on 272.

Lyle was paired with Jack Nicklaus, who was as proud of his son Gary's performance — he made the cut for the first time in a US tour event — as of his own. Not that the crowd noticed, but the Scot rather eclipsed his partner by starting

the last round with three birdies and at one stage briefly held second place on his own. Two bogeys, at the 18th and 17th, where he three-putted from long range, dropped him back, but he made a spectacular par at the last, hitting a high, hooking seven-iron 190 yards out of the trees on the right of the fairway on to the heart of the green. "I wanted to finish leading Britain," he said mischievously.

He did, just one shot ahead of Faldo, who wished he had

found on Thursday the putting touch that brought him seven birdies on Sunday. A round of 72 on Thursday provided a frustrating reminder that in America, professionals hole a lot of putts a lot of the time. "The greens over here are so true, you've got to put well to keep in contention."

The Open champion, who, like Lyle, will be playing in the Honda Classic in Fort Lauderdale this week, was confident his new, more compact putting stroke was one of the

weapons that would keep him in touch in the weeks ahead.

Last week, however, belonged to Norman, the great white shark, who dismissed the notion that Normanator, as in Terminator, almost would catch on as a nickname. "I think shark is better," he said, with the big, wide toothy grin of a golfing predator.

FINAL SCORES (US unless stated): 268: G Norman (Aus), 65, 68, 62, 70, 269: P Azinger, 67, 68, 69, 62; M McCumber, 68, 67, 66, 67; 270: P Faldo (GB), 70, 64, 68, 67; 272: A Lyle (GB), 69, 67, 68, 68, 273: N Faldo (GB), 72, 65, 70, 69; F Couples, 68, 67, 71, 67, 272; T Kloe, 66, 73, 69, 67, 273: S

Hatch, 71, 67, 69, 68, 277: C Beck, 70, 72, 73, 63; J Nicklaus, 69, 68, 67, 73; S Elkington (Aus), 69, 72, 67, 70; L Jensen, 71, 71, 70, 69; J Adams, 72, 67, 70, 69; E Hummer, 67, 71, 69, 70, 278; P Stewart, 74, 67, 68, 69; K Goss, 73, 69, 68, 68; A Miesha, 71, 68, 68, 69; W Goss, 70, 69, 69, 70; N Price (GB), 70, 71, 67, 70; K Green, 68, 70, 68, 71.

SONY WORLD RANKINGS (US unless stated): 1. N Faldo (GB), 24,220; 2. P Couples, 13,333; 3. G Norman (Aus), 13,331; 4. S Langer (GB), 12,533; 5. M Price (GB), 12,533; 6. J Woodman (GB), 12,533; 7. T Kloe, 12,533; 8. J M O'Sullivan (GB), 12,531; 9. O Love II, 11,311; 10. J Coles, 10,932; 11. P Azinger, 10,932; 12. M McNulty (Zim), 9,233; 13. M O'Sullivan (Aus), 9,231; 14. C Peck, 8,707; 15. R Ford, 8,333; 16. S Busterson, 8,333; 17. M O'Sullivan, 8,333; 18. C Montgomerie (GB), 8,331; 19. S Langer, 7,932; 20. P Stewart, 7,932.

RUGBY UNION

Selectors to reward Twickenham XV

By DAVID HANDS, RUGBY CORRESPONDENT

ENGLAND'S squad to play Ireland in the final round of the five nations championship on March 20 will be announced today, although change seems unlikely after Saturday's success over Scotland. Several squad members will be out of the country since Harlequins have taken 22 players to South Africa to play in the M-Net floodlight tournament in Johannesburg tonight.

The squad includes Will Carling, Peter Winterbottom, Jason Leonard and, making a guest appearance for Harlequins, Wade Dooley. They play Orange Free State in a knockout tournament featuring most of South Africa's leading provincial teams and a South African Barbarians XV.

Meanwhile, the Welsh selectors will digest the implications of defeat by Ireland before naming on Thursday their team to play France in Paris. Their objective for the championship, two wins, is threatened, although Jeff Young, the Welsh Rugby Union's technical director, be-

lieves that defeat by Scotland and Ireland can be overcome. Young joined his opposite numbers from Scotland and Ireland, John Roxburgh and George Spowood, in London yesterday to help launch the Scottish Provident Master Classes which will form the basis for a rugby skills coaching video and is part of the company's sponsorship agreement with ITV.

Young said: "We have put the systems we require in place and we could not have had a better person than Alan Davies to prepare the players. But we probably did get carried away by the victory over England."

Ireland's selectors meet tonight to confirm their team to play England.

League open to persuasion

By CHRISTOPHER IRVINE

THE Rugby Football League has set up a three-man commission to report on the feasibility of a season to run between March and October, an idea that has gained ground because of the large number of postponements this winter.

A switch to summer has been a talking point for 25 years and a wide-ranging investigation into television and sponsorship potential, as well as the conflict with other sports, represents the most positive step in the long-running debate.

The commission will be headed by Chris Caiseley, the chairman of Bradford Northern, who is a strong advocate for moving out of the winter months. Although change remains unlikely, David Howes, the League spokesman, said yesterday: "We need the facts and figures in order to see whether it is at all possible or beneficial."

Daniel Diwet, the French international, has joined Hull after a month on loan. Hull are also taking on four French youngsters as part of the deal with the player.

ATHLETICS

Runner ordered to heed ban

By DAVID POWELL, ATHLETICS CORRESPONDENT

WHILE the football authorities turn their attention once again towards crowd misbehaviour, these are troubled times too for the British Athletic Federation (BAF). It has identified Robert Hamilton-Jones as the No. 1 boogymen of the sport in Britain and, in an effort to prevent him from running on its pitches unwittingly, has threatened him with a High Court injunction unless he stops.

Hamilton-Jones, a county standard middle-distance runner, is banned for four years for failing to provide a sample for a drugs test in 1991, but has competed twice while under suspension. In a letter from Peter Radford, the BAF vice-chairman, which Hamilton-Jones received yesterday, the athlete has been told to promise that he will not compete again while ineligible. Otherwise "the BAF will take whatever action it deems appropriate including, if necessary, seeking injunctive relief from the High Court."

Meanwhile, even the referees are squabbling. Senior BAF officials have split into two groups as the British governing body moves to-

wards its elections at the annual meeting on Saturday week. Now one of them, Derek Johnson, the AAA of England secretary, is about to openly criticise Arthur McAlister, the BAF president, and Malcolm Jones, the chief executive, in print.

A recent BAF management board vote of no confidence in Jones, and a subsequent BAF council censure for three of those involved, was the catalyst for Radford, David Bedford, John Lister and Bob Greenock to publish an election manifesto. Two weeks



Hamilton-Jones: warned

later, a McAlister-backed opposition group did the same. Johnson writes in a letter to be published in *Athletics Today* tomorrow: "By making the issue of the chief executive the principal plank of their attack on Peter Radford and his team president McAlister and his candidates are not being fair. As honorary secretary of the AAA of England, I dissociate myself completely from it."

"This issue should not have been discussed before the AGM and Arthur and his protégés have seized on it to discredit the other candidates," Johnson rebukes Jones for failing to "get a management grip" on Frank Dick, the director of coaching, and Andy Norman, the BAF promotions officer.

Another suspended British athlete, Jason Livingston, who is serving a four-year drugs ban, has been invited back to Wigan Athletic football club for a second trial. Bryan Hamilton, the manager of the second-division club, said yesterday: "Jason certainly has the basic attributes and skills, but they would have to be coached quite a lot."

Depth (cm)	U	Conditions	Runs to resort	Weather	Temp	Last snow
ROMANIA						
Polana Brasov	75	110	good	good	snow	-3C
(Very good powder skiing over entire area; all lifts operating)						
SWITZERLAND						
Cham	45	200	good	good	sunny	-5C
(All pistes in good shape; all 29 lifts operating)						
Lenzerheide	60	90	good	good	sunny	-4C
(Dry snow on hard-packed base; all lifts and pistes open)						
St Moritz	50	100	good	good	sunny	-4C
(Still good skiing above mid-station; lower runs wearing thin)						
Zermatt	70	200	good	good	sunny	-1C
(Good skiing at all levels; 70 of 73 lifts operating)						
SPAIN						
Sol y Nieve	40	110	good	good	sunny	0C
(Hard-packed snow; 17 lifts operating and 22 of 34 pistes open)						
ITALY						
Bormio	20	155	mixed	slip	sunny	0C
(Artificial snow at lower levels; Cima Bianca particularly good)						
Livigno	40	100	good	good	sunny	-3C
(Cold temperatures maintaining snow cover; best skiing at Mottolino)						
Sella	20	70	good	good	sunny	0C
(Good sunshine skiing throughout Val Gardena; all lifts open)						
UNITED STATES						
Aspen	170	185	good	good	cloudy	-3C
(Good packed snow conditions; all lifts operating)						
Breckenridge	150	170	good	good	clear	0C
(New snow over packed snow base; entire ski area open)						
FRANCE						
Avoriaz	80	165	mixed	slip	cloudy	-6C
(Good skiing on top runs; snow on lower runs wet by midday)						
Courchevel	100	190	good	good	sunny	-2C
(Good conditions for all grades of skiers; 67 lifts operating)						
Les Deux Alpes	30	250	mixed	thin	sunny	-4C
(East skiing above mid-station; lower runs now patchy)						
Megeve	15	160	mixed	poor	sunny	-1C
(Still good skiing on top slopes; patchy snow below 1,600m)						
AUSTRIA						
Sölden	30	130	good	good	sunny	-2C
(Fresh snow throughout skiing area; 21 of 22 lifts operating)						
St Anton	60	400	good	good	sunny	-1C
(Very good conditions over entire skiing area; all lifts operating)						
Zell am See	15	180	good	good	sunny	-2C
(Best skiing on north-facing runs; all lifts operating)						

THE TIMES

9.00 Business Week
9.05 News
10.00 News
10.30 Sports
11.00 News
11.30 News
12.15 News
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BBC1

6.00 Business Breakfast (56422) 7.00 BBC Breakfast News (7336002)
9.05 Kilroy (6) (548622) 9.45 Ross King, Game show (6) (4752354)
10.00 News, regional news and weather (9172557) 10.05 Playdays, For the very young (6) (7485557)
10.30 Good Morning... (5404264) 10.55 The Weekday magazine series... (5504264)
12.15 Pebble Mill, The guests are Howard Keel and Jimmy Mulville (6) (6797282) 12.55 Regional News and weather (9300267)
1.00 On the Coast, News with Philip Hayton, (Ceefaz) Weather (14373)
1.30 Neighbours, (Ceefaz) (6) (7529557) 1.50 First Letter First, Word game show (6) (7165511)
2.15 Film: Signpost to Murder (1954, b/w) starring Joanne Woodward and Stuart Whitman. Thriller about a convicted killer, on the run from an asylum, who takes refuge in the remote home of a woman whose husband is away on business. Directed by George Englund (149444)
3.30 Cartoon, The Raisins Sold Out (6) (2555554) 3.50 Pinocchio (6) (2551770) 4.15 Jeopardy, The first of a two-part Raymond Briggs story, The Man (6) (1915151) 4.35 The New York Beat (6) (1915151) 4.55 Hanger 17 (Ceefaz) (6) (3165222) 5.00 Newsround (2890733) 5.10 Grange Hill, (Ceefaz) (6) (4693847)
5.35 Neighbours, (Ceefaz) (6) (460808) 5.50 Six O'Clock News with Peter Sissons and Anna Ford, (Ceefaz) Weather (593)
6.30 Regional News Magazine (335), Northern Ireland: Neighbours
7.00 Holiday introduced by Jill Dando from the Italian sliding rock of Courmayeur. With Sue Cook in Terbury, South Wales, for a family caravanning holiday, and Frank Barrett touring Sicily by coach. (Ceefaz) (6) (7847)
7.30 EastEnders, (Ceefaz) (6) (847)
8.00 Luv, (Ceefaz) (6) See Choice (3287)
8.30 A Question of Sport presented by David Coleman. Bill Beaumont and Ian Botham are joined by Craig Challen, Ray Houghton, Peter Scudamore and Derek Parrott. (Ceefaz) (6) (5002)
9.00 Party Political Broadcast by the Liberal Democrats (108199)
9.05 News with Marilyn Lewis, (Ceefaz) Regional news and weather (339847)
9.35 Smith and Jones (6), (Ceefaz) (117847)
10.05 Harry Enfield's Television Programme, A showcase for the funny man's many comic characters (6), (Ceefaz) (6) (708593), Northern Ireland: Study Ireland 10.25 Harry Enfield



Grief-stricken: Timothy Hutton (10.35pm)

10.35 Film: Ordinary People (1980) starring Donald Sutherland and Mary McCormack. An excellent, four Oscar-winning adaptation of Judith Guiterman's novel about an affluent family's deterioration after the death of the eldest son, told mostly from the point-of-view of his guilt-ridden younger brother, played by Timothy Hutton. The film marked the directorial debut of Robert Redford. (Ceefaz) (6) (8494848)
Northern Ireland: 10.55-12.55 Film: Ordinary People 12.35-12.40 News (9370300)
2.15-2.45 BBC Select: Executive Business Club, Scrambled (82039) 3.15-3.45 Legal Network, Television, Scrambled (11923)

BBC2

6.45 Open University: Earthquakes — Seismology at Work (4507805) 7.10 Biology Form and Function: Is Seeing Believing? (3008644) 7.35 Acceleration at Constant Speed (7114847)
8.15 Westminster, A round up of business from both Houses (4615422)
9.00 Daytime On Two, Educational programmes including, for children, 9.45 You and Me (4750996) 10.00 Over the Moon (5117338) 1.20 John Jackson and Friends (6) (8724344) 1.30 Orville and Cuddles (8821336) 1.35 Bumpy (8822006)
2.00 News and weather followed by You and Me (6) (2351977) 2.15 Arthur Negus (517338) A tour of Saltram House in Plymouth (6) (2312437) 2.30 See Hear! For the hearing impaired (6) (565)
3.00 News (Ceefaz) and weather (3057064). Followed by Westminster Live, introduced by Iain MacWhirter and John Cole (5551335) 3.50 News (Ceefaz), regional news and weather (2595053)
4.00 Rembrandt, The history of Rembrandt's music, from its origins in the harsh days of Athens and Smyrna to the present day. Narrated by Anthony Quinn (214354)
4.50 France Muses Business, The story of Thompson, France's state-owned, electronic giant, 500 million investment in a new high-definition television system (6) (676489)
5.20 Film 93 With Barry Norman, Al Pacino is interviewed (6) (783712)
6.00 Film: The Two Women of Jennie Logan (1975) starring Lindsay Wagner, A stylish, made-for-TV television murder mystery/drama that takes place simultaneously in two different centuries. Directed by Frank DeFelitta (3302018)
7.35 Animation Now, The Public Voice, a surreal piece from Denmark (71958)
7.45 Assignment: Man's Burden, Richard Dowden reports on the increasing influence of the United States and the World Bank on the economy and politics of some African countries (887054)
8.30 Food and Drink, The last in the series includes a simple recipe for home-baked bread (6) (3844)
9.00 Australian Film: A television drama series starring Scott Bakula as a time-travel scientist, this week in the year 1989, (Ceefaz) (6) (141018)



Recession-hit Essex man: Martin (9.50pm)

9.50-10.40 Minutes: Mart and Mandy, (Ceefaz) (6) See Choice (32511)
10.30 Party Political Broadcast by the Liberal Democrats (201826)
10.35 Newsnight with Francine Stock (178996)
11.20 The Late Show, Arts and media magazine (6) (2172) 12.00 Weather (1605935)
12.05 Open Forum, Social issues, further and higher education (2518132), Ends at 12.30
2.00 Night School TV, Family Life (50571), Ends at 2.30

40 Minutes: Mart and Mandy
BBC2, 9.50pm

Martin is 33 and a second-hand car dealer from near Southend. Mandy, his girlfriend, is a mobile hairdresser. Martin is presented as the archetypal Essex man, the council house product who got on his bike, prospered during the eighties but is now feeling the cold draught of the recession. A sleek Jaguar stands unsold on his forecourt, priced at only half what it was a year ago. Martin has had to sell his speedboat, his motorbikes and his sports car. At least he can manage a smile about it. He has always voted Conservative but has no time for Major and Lamont. Norman Tebbit is his man. Peter Gordon's film makes his point effectively enough, though as with other recent offerings in the 40 Minutes series, it tends to cover familiar ground.

Brighton Belles
TV, 8.30pm

The latest Comedy Playhouse pilot is a British version of the American series The Golden Girls with the location moved from Florida to the English south coast. Indeed, tonight's edition follows an original, France's state-owned, electronic giant, 500 million investment in a new high-definition television system (6) (676489)
5.20 Film 93 With Barry Norman, Al Pacino is interviewed (6) (783712)
6.00 Film: The Two Women of Jennie Logan (1975) starring Lindsay Wagner, A stylish, made-for-TV television murder mystery/drama that takes place simultaneously in two different centuries. Directed by Frank DeFelitta (3302018)
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Family strife: the cast of Luv (BBC1, 8.00pm)

Luv, BBC1, 8.00pm
Carla Lane was once the queen of the sitcom, but her recent record has been patchy. Her last big success, Bread, seems a long time ago. Unfortunately I cannot tell you whether Luv represents a return to form. This is because the preview tape provided by the BBC had pictures but no sound, and I am no lip-reader. I can tell you that Luv is about Angela, a self-made businesswoman with a muck truck pile and a chauffeur-driven Rolls. He also has a disgruntled wife (Sue Johnston) and three troublesome adopted children. One is a loafer, another is gay and the third has an unsuitable Italian boyfriend. The moral seems to be that Harold's money cannot buy happiness. But I cannot say whether the show is funny.

Distant Voices, Still Lives
Channel 4, 10.00pm
Terence Davies' portrait of working-class life in Liverpool in the 1950s is remarkable for its unsentimental truth and the material comes from the heart. Like John Boorman's Hope and Glory, shown in this slot last week, the film is history based on autobiography. The family is essentially Davies's own, trying to escape the shadow of a brutal father as it moves, through the daughter's wedding, to the next generation. The observation is sharp and studied. Davies uses deliberately low-key photography and is not afraid to hold his images on the screen. The film is often uncomfortable but the human spirit keeps breaking through.

ITV LONDON

6.00 GMTV, The guests include singer Sacha Distel and actor Paul Nicholas (805288)
9.25 Jeopardy! (3912151) 9.55 London Today (Teletext) and weather (7481977)
10.00 The Time... The Place... Topical discussion (1060002)
10.35 This Morning, Family magazine series (3716264)
12.10 Wazzard, Puppets for the very young (6) (278800)
12.30 Lunchtime News with the news team and Carol Barnes, (Ceefaz) Weather (4394411) 1.05 London Today (Teletext) and weather (5759373)
1.15 Home and Away, Australian family drama. (Teletext) (328006) 1.45 A Country Practice, Medical drama (831977)
2.15 Travel UK, The first of a new series about holidaying in Britain, presented by Valerie Singleton and Chris Packham (852828) 2.45 Gardner's Diary introduced by John Ravenscroft (8644488)
3.10 ITN News headlines (3068170) 3.15 London Today (Teletext) and weather (3067441) 3.20 Blackout (6) (824444)
3.50 Rod 'n' Ernie (6) (5555151) 4.00 Tootsie (6) (842847) 4.15 Dreamstone (6) (6) (573151) 4.40 Oasis, Last in the drama series set on south London wasteland. (Teletext) (6) (896002)
5.10 Home and Away (6), (Teletext) (6) (877184)
5.40 Early Evening News with John Suchet, (Teletext) Weather (835183)
6.00 London Tonight presented by Alastair Stewart and Fiona Foster, The guests include Stefan Dennis from the cast of Neighbours (Teletext) (31489)
7.00 Mermaidline, (Teletext) (2915)
7.30 Britain's Got Talent, The investigative reporters look into London's sordid dark past (815)
8.00 The Bill: Keeping Out of Trouble, The CID is keen to catch a gang of violent petrol station robbers and receive information from an extremely unlikely source. (Teletext) (8335)



Girl talk: Craig, Hancock, Boht, Gish (8.30pm)

8.30 Brighton Belles, (Teletext) (6) See Choice (9070)
9.00 A Statement of Affairs, The concluding part of the psychological thriller that began last night. (Teletext) (6) (2080)
10.00 Party Political Broadcast by the Liberal Democrats (232915)
10.05 News with Trevor McDonald, (Teletext) Weather (703249) 10.35 London Tonight (Teletext) and weather (36802)
10.45 Extraordinary People, The first of a new three-part series about people with out-of-the-ordinary lives, beginning with the Frank Williams motor racing team (376809)
11.45 BAFTA Craft Awards hosted by Sarah Greene and Matthew Kelly at the Theatre Royal, Nottingham, in the presence of Prince Edward (857393)
12.45am Prisoner: Cell Block H (4940590)
1.35 The Little Picture Show, Video reviews (8058738)
2.30 Film: Naked Fury (1957, b/w), British thriller about a bank robbery gang who are forced to kidnap a nightwatchman's daughter who witnessed their raid. Starring Kenneth Cope, directed by Charles Sturges (77500)
3.30 Quiz Night, Music and club competition (43774)
4.00 The Beat, Music and style magazine (6) (38671)
5.00 Riviera, Glossy French drama serial (51710)
5.30 Early Morning News with Tim Neilson (18519), Ends at 6.00

CHANNEL 4

6.00 Sesame Street (6) (6412847) 6.45 Dennis, Animated antics of a mischievous boy and his friends (5956793)
7.00 The Big Breakfast presented by Chris Evans and Gaby Roslin (80616)
9.00 You Bet Your Life, American game show hosted by Bill Cosby (6) (83354)
9.30 Schoolhouse (584916)
12.00 The Parliament Programme, Anne Perkins with a round up of news from both Houses (35278)
12.30 Sesame Street, Pre-school learning series (26248) 1.30 Lift Off, Infants entertainment (6) (13063)
2.00 Film: The Bride Came C.O.D. (1941, b/w) starring James Cagney and Bette Davis. Romantic comedy about a pilot who crash lands in the desert with a runaway oil tanker he was delivering back to her father as an unwilling passenger. Directed by William Keighley (867266)
3.40 On a Wing and a Prayer, A short about the pioneering American aviator Amelia Earhart (6) (8133753)
3.55 Auldreath Revisited, The wildlife of an Indian Ocean atoll on which the British and Americans wanted to build an air base (1849557)
4.30 Countdown, Richard Whitley with another round of the words and numbers game. (Teletext) (6) (828)
5.00 The Oprah Winfrey Show, The guests are men who are married but want their freedom as well as their wife and family. (Teletext) (6) (8433511)
5.50 The Magic Roundabout, Classic children's entertainment (6) (57793)
6.00 Crystal, Magic, Cerebral and physical tests, introduced by Richard O'Brien (6) (22731)
7.00 Channel 4 News with Jon Snow and Zelnah Badawi, (Teletext) Weather (405644)
7.50 Comment (551444)
8.00 Free For All, Lily Palefield offers evidence that the present hospital complaints system is a nightmare for people seeking redress. (Teletext) (6) (8771)
8.30 The Pulse, Health and healthcare series presented by Emma Freud. Includes a visit to the soon-to-close long-stay geriatric ward at Wokingham Hospital in Berkshire where doctors explain that this safety net for the elderly could lead to a bizarre game of the "game of hide-and-seek" among social workers who have been given the responsibility for the former patients' welfare (Teletext) (8712)



Women on stage: Geraldine James (9.00pm)

9.00 Without Walls: 'The Pity She's a Whore, A look at the lives of the first actresses, presented by Geraldine James, with Julia Ford as Nell Gwynn and Emma Lewis as Elizabeth Barry. (Teletext) (3248), Followed at 9.30 by J.A. House Henry Moore, George Melly explains the early work of sculptor Henry Moore but accuses him of "cultural chauvinism" in his later works. (Teletext) (94048)
10.00 Film: Distant Voices, Still Lives (1988), (Teletext) (6) See Choice (876422)
11.35 Passport 'n' On, The story of militant Black Panther Djibril Sanneh (310880)
12.45am Dream On, Adult comedy about the love life of a divorced New York publisher. Starring Brian Benben (6) (67584)
1.15 The Nat King Cole Show (b/w), With Sammy Davis Jr and the Nelson Riddle Orchestra (84457)
1.45 It's Showtime at the Apollo hosted by Bill Cosby (6353300), Ends at 2.40

VARIATIONS

ANGLIA
As London except: 3.30-3.50 The Young Doctors (920712) 5.10-5.40 Blockbusters (920712) 6.00 Home and Away (920712) 6.30-6.40 News (920712) 6.45-6.55 The Big Breakfast (920712) 7.00-7.10 The Big Breakfast (920712) 7.15-7.25 The Big Breakfast (920712) 7.30-7.40 The Big Breakfast (920712) 7.45-7.55 The Big Breakfast (920712) 8.00-8.10 The Big Breakfast (920712) 8.15-8.25 The Big Breakfast (920712) 8.30-8.40 The Big Breakfast (920712) 8.45-8.55 The Big Breakfast (920712) 9.00-9.10 The Big Breakfast (920712) 9.15-9.25 The Big Breakfast (920712) 9.30-9.40 The Big Breakfast (920712) 9.45-9.55 The Big Breakfast (920712) 10.00-10.10 The Big Breakfast (920712) 10.15-10.25 The Big Breakfast (920712) 10.30-10.40 The Big Breakfast (920712) 10.45-10.55 The Big Breakfast (920712) 11.00-11.10 The Big Breakfast (920712) 11.15-11.25 The Big Breakfast (920712) 11.30-11.40 The Big Breakfast (920712) 11.45-11.55 The Big Breakfast (920712) 12.00-12.10 The Big Breakfast (920712) 12.15-12.25 The Big Breakfast 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Inquisitors lie in wait with rotten tomatoes for Dexter



By ALAN LEE
CRICKET CORRESPONDENT

THE spring meeting of the men who run English cricket has customarily been an occasion for reunion and anticipation, but this year will be different. The county delegates who make up the Test and County Cricket Board (TCCB) will, as usual, be fine-tuning and rubber-stamping during the two-day meeting, which begins at Lord's this morning, with items ranging from action against the menace of ball-tampering to the more esoteric matter of fielding circles in Sunday games.

Like an audience sitting through the support acts, however, most of the chairman will be impatient for the arrival of the top-of-the-bill turn, Ted Dexter's England committee report, and some will have their rotten tomatoes at the ready.

England teams are still overseas, of course, but with little left to salvage from a mortifying winter. In India, Graham Gooch's Test series and the under-19s were re-educated by their Indian peers. In Australia, the A team has been outclassed by understrength state sides. In each case, isolated individual advances have been swamped by damning results.

Inevitably, there has been a baying for blood from the public, much of it misguided. Gooch's position as captain, for instance, is safe for the summer if he still wants it, because one bad tour cannot wipe out three years of achievement, nor must it blind us to the lack of a suitable successor. The role of the team manager remains contentious, some believing he has too much influence and others that he does not have enough. But Keith Fletcher has barely started in the job and cannot fairly be judged, although he clearly wants more say in future tour planning.

In Sri Lanka yesterday he was critical of the imbalance between one-day and three-day matches on the tour and the difficulties this causes in preparing for Test matches. "I would very much like to have a big input into an itinerary, and I will be wanting to see the draft for next winter's trip to the West Indies. The problems we have encountered will certainly feature in my tour report to the TCCB," Fletcher said.

Dexter, the chairman of selectors, is left to account for himself and the committee, set up in 1989 to oversee the interests of all the national teams. There are those, around the shires, who believe Dexter should resign and that the committee is a waste of time and money.

Who, or what, would he put in place instead is unclear. The wrath extends beyond the moribund playing records this winter and aims, additionally, at the image of a team constantly pictured in T-shirts and shell suits when they might be in blazers and in baseball hats when they would be better headed.

Those chairmen wishing to bluster about this, however, will have to divert their attentions from Dexter to the marketing department, for it is their dealings with a variety of sponsors which not only permit but oblige the England team to look as unimpressive as they do. Dexter, however, will have his own defensive technique probed at length on issues of selection and preparation, and it is possible that he will offer to resign if the hostility is personal and if he is able to hand over to someone of whom he approves.

City face enquiry into Cup invasion

By JOHN GOODBODY

MANCHESTER City football club may be fined or have to play matches behind closed doors as a result of the pitch invasion during the FA Cup quarter-final at Maine Road on Sunday.

The Football Association yesterday charged the Premier League club under rule 24, which states that clubs must be responsible for ensuring that no spectators are allowed on the pitch. City have two weeks in which to respond.

The incident during City's 4-2 defeat by Tottenham Hotspur was the worst inside a ground this season and has also revived the argument over perimeter fencing, which many clubs took down in the wake of the Hillsborough disaster in April 1989.

This is the first big FA enquiry for more than a year. Birmingham City were fined £50,000 and ordered to play two matches behind closed doors, both suspended until the end of this season, after a 38-minute interruption during a game against Stoke on February 29, 1992.

The disturbance on Sunday, which led to 36 arrests inside the ground as mounted police and dog handlers controlled more than 200 City supporters, was shown live on BBC television and also in France, Cyprus, South Africa, Thailand and Hong Kong. It is up to Peter Reid, the City manager, that he briefly considered resigning, but yesterday he said that he was going to stay in football. "I shall fight these hooligans all the way," he said.

After the incidents at the 1992 European championship finals in Sweden, the pitch invasion confirmed that English football hooliganism remains a problem that has been controlled rather than cured.

The scenes have neither helped Manchester's case for staging the 2000 Olympic Games nor increased UEFA's confidence that the FA can hold the 1996 European championship in England without crowd trouble.

The City supporters goaded their Tottenham rivals, whose behaviour was praised by police and both clubs. Terry Venables, the managing director of Tottenham, who will meet Arsenal at Wembley in the semi-final on March 4, said that his supporters were a "credit to this club".



Winning touch: Steffi Graf sweeps away a volley on her way to victory over Arantxa Sanchez Vicario in the final of the Virginia Slims tournament at Delray Beach, Florida. Graf, the defending champion, won 6-4, 6-3 to claim the seventieth title of her career. It was the eighteenth time she had beaten Sanchez in 21 meetings.

Johnson receives offers for story

BEN Johnson's life ban from athletics has prompted enquiries from news organisations offering money for exclusive interviews. "We have received expressions of interest which we've not followed up, at least not yet," the Canadian sprinter's lawyer, Terrence O'Sullivan, said.

Reporters and television camera crews have packed the street in front of Johnson's home 30km north of Toronto since a Canadian newspaper reported last Wednesday that he had failed a drugs test.

Johnson turned down an offer of \$500,000 from the German weekly publication, Stern, shortly after he was banned following a positive drugs test at the 1988 Seoul Olympics. The Canadian, 31, had won the 100 metres final in a world record time of 9.79 seconds.

The International Amateur Athletic Federation (IAAF) imposed the life ban last Friday after ruling that Johnson had tested positive for a banned drug following a race in which he had taken part in Montreal on January 17.

O'Sullivan said Johnson had a "good, strong" case for an appeal against the IAAF's decision, but had decided not to pursue it. The lawyer cited the length of time that the appeal and a possible court challenge would take and the fact that it would cost at least \$100,000.

"In some respects it would be easier for him to spend the money to clear his name," O'Sullivan said. "The more generous decision is to take the hit and go ahead with his life and support his family. To live in a private and productive way."

After Seoul, Johnson initially denied that he had taken any banned drugs, but told a Canadian enquiry in 1989 that he had used steroids between 1981 and 1988. On Sunday, in a signed statement issued by his lawyers, Johnson said he had not used any banned drugs since 1988.

The athlete and his family have so far refused to speak publicly about his life ban. Johnson's mother moved to Canada in the mid-1970s to seek better educational opportunities for her children. His father, also named Ben, died in Jamaica two years ago. One of the first things that Johnson did when he began earning money from athletics was to buy a home in which to live with his mother.

In the late 1970s and early 1980s his mother worked at two jobs so her son could focus on his track career. Johnson's former agent, Larry Heidebrecht, estimated the positive drug test in Seoul cost the sprinter \$10 million in potential earnings for 1989 alone and some \$25 million over his career.

The athlete was extremely popular in Japan and flew there 29 times between 1982 and 1988 - 20 times for paid appearances. But his most lucrative endorsement deals became void when he tested positive in Seoul.

In 1987 he signed a \$2.3 million four-year deal with the Italian sportswear company, Diadora. Johnson wore Diadora clothing after his 1991 comeback but it is not known how much he was paid.

He was reported to have earned \$100,000 in Japan for the first race after his suspension.

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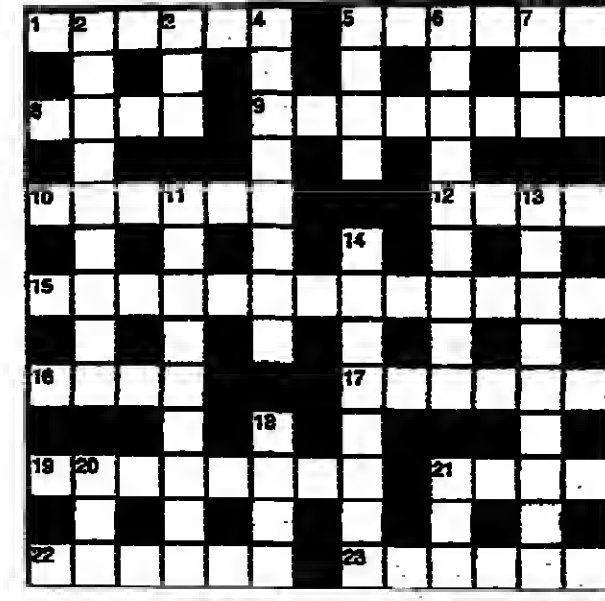
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- ACROSS
1 Spirit (6)
2 Horse quarters (6)
3 Idle (4)
9 At a low level (4,4)
10 Encourages (4,2)
12 Pleasant (4,2)
15 Avoid taking sides (3,2,3,5)
16 Damage (4)
17 Axilla (6)
19 Suave man (8)
21 Army runabout (4)
22 Way out (6)
23 Diamond knit pattern (6)
- DOWN
1 Lost Horizon valley (7,2)
3 Glean (3)
4 Observe carefully (4,4)
5 Fishpond (4)
6 Athena temple (9)
7 Hang back (3)
11 Gale signal (9)
13 Crushed insects colouring (9)
14 Fianna Fall founder (2,6)
18 Like this (4)
20 Large cup (3)
21 Trot (3)

SOLUTIONS TO NO 304
ACROSS: 1 Disobey orders 2 Dover 3 Scandal
10 Gem 11 Youth 12 Almanac 14 Outcry 16 Ribbon
20 Gastric 23 Vague 24 Rye 25 Equable 26 Runes 27 Self possessed
DOWN: 1 Daddy longlegs 2 Sawdust 3 Burgher 4 Yes man 5 Re-arm 6 End on 7 Self confessed 15 Alb 18 Cot 17 Inverse 18 Bygone 19 Screws 21 Skull 22 Rub up



By Raymond Keene, Chess Correspondent

Later this year Britain's Nigel Short will compete with Gary Kasparov for the world chess title. Kasparov's aggressive style of play has often been compared to that of the great Alexander Alekhine, whose games he studied as a boy. Today's position is from the game Alekhine - Duras, St Petersburg 1913. Here, white found a clever way to win material, by trapping



By PHILIP HOWARD
DEEPIE
a. The quadrant of a circle.
b. Deputy president
c. A three-D film
TRAKEHNER
a. A horse
b. A tracker or scout
c. A coarse Bruges muslin

JUMEAU
a. A mare
b. A doll
c. A male twin
PYROCERAM
a. A captain of the Trojans
b. A sort of hard glass
c. A mythological goat
Answers on page 40